



NORTH FALLS

Offshore Wind Farm

Applicant's Response to ExA's Third Written Questions (ExQ3)

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1. INTRODUCTION

Introduction

- 1.1.1 This document has been prepared by North Falls Offshore Wind Farm Limited ('the Applicant') to respond to the Examining Authority's ('ExA') written questions and request for information (ExQ3) **[PD-016]**, in relation to the North Falls Offshore Wind Farm (herein referred to as 'North Falls' or the 'Project').
- 1.1.2 All of the questions raised in the ExA's ExQ3 **[PD-016]** have been included in this document, including questions not directed to the Applicant. In some limited cases the Applicant has made a comment on these questions where it considers it helpful to the ExA and other Interested Parties. These questions are identifiable via a 'grey' fill colour to the row in the table.
- 1.1.3 Included as an Appendix to this document is additional information provided in response to specific written questions. This document is titled Appendix to Applicant's Response to ExA's Third Written Questions (ExQ3) **[Document ref: 9.113, (Rev 0)]**. Where an entirely new document has been submitted this will be clearly referenced.

2. APPLICANT'S RESPONSE TO EXA'S THIRD WRITTEN QUESTIONS (EXQ3)

1.2 General and Cross Topic

1. General and Cross-topic Questions			
ExQ3	Question to	Question	Applicant's Response
Q1.0.1	Applicant	<p>General working hours</p> <p>In the Applicant's response to Deadline 4 submissions (Rev 0) [REP5-056] item 'REP4-093_a', the Applicant responds to Tendring District Council's (TDC), Post hearing submissions [REP4- 093], continued objection to the proposed working hours of 07:00 to 19:00, Monday to Saturday. Reference is given to the Applicant's comments on responses to ExQ1 [REP3-036] which includes under item 'REP2-036_c' that:</p> <p><i>"With regards to amending construction working hours and timing of works, the Applicant is unable to accommodate Essex County Council and Tendring District Council's request. The Applicant's proposed working hours are standard for major infrastructure projects (including Five Estuaries) and provide a balance between avoiding the times which have the greatest potential to disturb people and enabling the works to be completed in a timely manner. Limiting the proposed working hours beyond the hours proposed in the Outline Code of Construction Practice [REP1-033] would increase the duration of construction, resulting in an increased duration of disturbance and potentially leading to additional cumulative impacts. Limiting the working hours would also have secondary impacts upon construction traffic movements where careful consideration has been given to demand management in order to allow the majority of construction traffic movements to be scheduled outside of the most sensitive network peak hours. A reduction in working hours would also result in HGV movements being compressed into fewer hours during the day, potentially leading to greater effects. Additionally, reducing working hours in proximity to residential properties would increase the works duration at these locations and therefore potentially result in increased disturbance."</i></p> <p>For the scenario of adopting the working hours proposed by TDC [REP4-093], with reference to the Applicant's above response (Item REP2-036_c) could the Applicant:</p> <p>(i) Provide more detail on what the potential additional cumulative impacts would be and any associated additional mitigation that would be required.</p>	<p>TDC's preferred working hours, as set out in [REP4-093], are as follows:</p> <ul style="list-style-type: none"> No vehicle related to the works should arrive on-site before 07:30 or leave after 19:00 (except in emergencies); Working hours should be limited to 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 on Saturdays; and No working of any kind should be permitted on Sundays or Public/Bank Holidays. <p>(i)</p> <p>With reference to Tendring District Council's proposed working hours, if the working hours were to be reduced, this would have a consequential effect upon the length of the construction programme. Currently, as a worst case some sections of the onshore project area are expected to be subject to construction activities for up to 27 months. Should the working hours be reduced to 0800-1800 Monday-Friday and 0800-1300 on Saturday, this would reduce working time by around 17 hours per week, equating to a 28% reduction in available weekly working time. This is the equivalent of adding a further 8 months to the construction programme. In practice, reducing the working hours in the day also decreases the percentage of the daily working time available for task-work, i.e. time in addition to mobilisation/de-mobilisation which predominantly happens at the start and the end of the day. This has the potential to further increase the construction programme. Furthermore, whilst some sections of the Project will have a lower overall construction duration than 27 months, works on these sections are generally staggered such that the demand for resource can be optimised and cumulative effects from the concurrent construction of sections is reduced. Reducing the effective working hours would result in a greater degree of overlap between activities and consequently potentially greater effects, e.g. from noise and road and traffic.</p> <p>Specifically in terms of cumulative effects, extending the duration of the onshore construction works has the potential to lead to the Project's construction period overlapping with that of other projects, including Norwich to Tilbury, Bathside Bay Green Energy Hub, and other local planning applications (see Table 27.28 in ES Chapter 27 Traffic and Transport [APP-041]), leading to an extension of the period over which receptors are subject to the severance, amenity, driver delay and highways safety effects detailed in Section 27.8 of Environmental Statement (ES) Chapter 27 Traffic and Transport [APP-041]. It could also increase the duration of peaks in traffic flow movements and the associated risk that the peaks in construction traffic for the Project and other schemes overlap, resulting in potentially significant effects due to cumulative traffic noise impacts. It also affects the duration of individual tasks taking place during construction, which has the potential to increase the number of noise and vibration sensitive receptors (NVSR) (including residential properties) subject to significant noise effects without mitigation during construction cumulatively with other projects, as detailed in Section 26.8 of ES Chapter 26 Noise and Vibration [APP-040] – please see response to part (iv) below for a further explanation of this point.</p>

1. General and Cross-topic Questions			
ExQ3	Question to	Question	Applicant's Response
		<p>(ii) Provide more detail on what the secondary impacts upon construction traffic movements would be and any associated additional mitigation that would be required.</p> <p>(iii) Provide more detail on what the potentially greater effects from HGV movements would be and any associated additional mitigation that would be required.</p> <p>(iv) Check in the case of reduced working hours in proximity to residential properties whether the increase in works duration would result in increased disturbance.</p>	<p>Additional mitigation to address any additional significant effects caused by the extension in the Project's construction duration cannot be precisely identified without a detailed replanning of the construction traffic demand profile for an alternative construction programme, and the subsequent identification of where the resultant impacts will be felt. However, the likely mitigation required would include:</p> <p>For traffic and transport effects, potential increases in severance, amenity, driver delay and highways safety effects would require additional mitigation such as controlling and monitoring HGV numbers along routes with higher identified amenity / driver delay effects, increase in the Project footprint and temporary land take to design in increased off-road haul roads to further take traffic of the local road network, and highways modifications to improve safety at any areas of increased adverse highways safety effects.</p> <p>For noise and vibration effects, the range of mitigation measures which are available to reduce effects to a non-significant level are set out in Section 26.6.1.2.3 of ES Chapter 26 Noise and Vibration [APP-040]. Mitigation measures from this range of options would be potentially required for additional NVSRs, in the event of an extended construction duration.</p> <p>(ii)</p> <p>Reducing the daily working hours may give rise to secondary effects from construction traffic movements by reducing the period in the day in which deliveries can occur, and therefore resulting in higher hourly flows and potentially in greater effects during each hour of the working day.</p> <p>Furthermore these higher hourly flows could create conflicts around other sensitive time periods raised by Essex County Council and other relevant stakeholders, for example, following discussions with Essex County Council the Applicant has committed to avoiding HGV movements through Thorpe-le-Soken during school start and finish times, e.g. 08:00 to 09:00 and 15:00 to 16:00 (see Table 27.2, ES Chapter 27 Traffic and Transport [APP-041]). TDC's suggested working hours would essentially limit the hours in which deliveries could be made at this location further, e.g. from 09:00 to 15:00 and 16:00 to 18:00. Narrowing the daily window in which deliveries can be made will potentially make other commitments such as this untenable or further extend the construction duration.</p> <p>The Applicant has agreed with National Highways and Essex County Council to the use of 'Demand Management' measures to mitigate the potential for significant effects upon driver delay (capacity) associated with employees travelling to work in the morning. These demand management measures require that 80% of employees would be managed to arrive prior to the morning network peak hour (07:15 to 08:15) and consequently there would not be a requirement for capacity modelling (as delays would not be significant). The consequences of restricting working hours to after 08:00 is that employees will need to travel in the network peak hour (which there has been a strong desire to avoid) and also during the more sensitive hours for non-motorised users, e.g. children walking to school. The Applicant therefore notes that restricting working hours until after 08:00 could lead to significant driver delay effects without further mitigation. Further mitigation would likely comprise the construction of new transport infrastructure and either junction capacity improvements or extensive use of demand management measures. The potential secondary impacts of these types of mitigation are noted below:</p> <ul style="list-style-type: none"> • Reductions in driver delay effects can be achieved through widening / replacing certain junctions. This type of mitigation would lead to additional delays to the public whilst the improvements are implemented and could equally lead to further wider environmental effects, e.g. loss of trees and hedges. • Reductions in employee vehicles (and therefore delay effects) can be achieved through the use of mode reassignment (re-mode), whereby single occupancy vehicle trips are restricted. The traffic forecasts already include extensive use of car-sharing (an average of 1.5 employees

1. General and Cross-topic Questions			
ExQ3	Question to	Question	Applicant's Response
			<p>per vehicle) and therefore achieving further reductions in vehicle movement from mode reassignment would likely need to be supported by new transport infrastructure e.g. a park and ride facility. Whilst the use of park and ride can reduce traffic at certain locations, it can also induce traffic as drivers would be required to drive to a central location from where they can then be picked up and taken by minibus/bus to site. This could lead to secondary traffic and noise effects in the proximity of this facility. Equally, the construction of the transport infrastructure to accommodate this level of parking could be significant.</p> <p>The Applicant considers that the strategy proposed to avoid peak hours through demand management aligns with the requirement of Overarching National Policy Statement for Energy (EN-1) (DESNZ, 2024) (paragraph 5.14.11 and 5.14.15) which promotes demand management measures over new transport infrastructure.</p> <p>(iii)</p> <p>Compressing HGV movements into fewer hours in the working day will necessitate an increase in the peak hourly HGV movements, to ensure all deliveries can arrive at site at the required time. This applies whether or not the overall construction programme is extended, as for certain activities the deliveries will need to all arrive on site on a particular day, to facilitate construction. The Applicant has made a significant effort to reduce peak hourly HGV movements down to a level which will give rise to non-significant effects cumulatively with other projects after mitigation. Increasing the peak numbers beyond this risks giving rise to significant severance, amenity, driver delay and highways safety effects. For example, across Links 25 and 35, ES Chapter 27 Traffic and Transport [APP-041] identified a potential for significant effects upon user amenity arising from peak HGV movements without mitigation. Mitigation proposed in the ES to limit HGV movements to not exceed the forecast average HGV movements is assessed to reduce the effect to a non-significant level. This assessment is based on a reasonable distribution of HGV movements over the working day. Reducing that working day period by 17%, as would be required if reduced daily working hours were implemented, increases the hourly HGV demand and reduces the efficacy of the proposed mitigation at these links, potentially giving rise to effects which cannot be mitigated without altering the Project at these locations.</p> <p>The changes to working hours proposed by Tendering District Council would lead to a redistribution of construction traffic and could lead to increases in peak daily HGV movements on certain links, with the potential to cause significant noise effects.</p> <p>The Applicant would note that unlike employee movements, there are limited demand management measures that can be utilised to reduce HGV demand as vehicle loading is the restricting factor. e.g. a HGV cannot carry more materials without exceeding the maximum loading (44 tonnes). Consequently, should the increase in daily and hourly HGV movements lead to significant effects, the only viable demand management measure available to reduce vehicle demand would be through an increase in the duration of the deliveries.</p> <p>(iv)</p> <p>As outlined in ES Chapter 26 Noise and Vibration [APP-040], duration is a key component of the assessment of the effect of construction noise. Section 26.4.3 of ES Chapter 26 states that: “<i>The duration of the impact – construction noise levels equating to moderate or major impacts for less than 10-days (or 10-evenings / weekends or nights) in any 15, or 40-days (or 40 evenings / weekends or nights) in any six-month period, would not normally be considered significant</i>”, i.e. that effects which exceed these duration requirements may be considered significant, if other criteria are met.</p> <p>Reducing the daily working hours extends the duration of individual tasks (e.g. route preparation, trench excavation and backfill, re-instatement works) during construction of the onshore cable route. Doing so has the potential to extend activities beyond the 10-day in 15 threshold for generating</p>

1. General and Cross-topic Questions			
ExQ3	Question to	Question	Applicant's Response
			<p>significant noise effects at NVSRs along the onshore cable route. Irrespective of whether this 10-day threshold is exceeded, noise-induced annoyance is dependent on duration as well as noise level at the NVSR. Whilst mitigation is available to minimise noise levels at NVSRs, this is not the case for task duration; hence, the changes to working hours proposed by Tendring District Council could increase overall noise-induced annoyance.</p> <p>ES Chapter 26 Noise and Vibration [APP-040] (section 26.6.1.2.1) explains that separate construction noise modelling was undertaken of works to be undertaken in fixed locations and works that will move along the cable route. Paragraph 142 of ES Chapter 26 Noise and Vibration [APP-040] identifies realistic worst-case rates at which the mobile activities (route preparation, trench excavation and backfill and re-instatement works) will progress. The changes to working hours proposed by Tendring District Council would decrease these progression rates, thereby increasing the maximum daytime noise level that will be exceeded for at least 10-days in any 15, and consequentially increasing the number of NVSRs which could experience potentially significant noise effects from these works prior to implementation of mitigation.</p>
Q1.0.2	Applicant	<p>Code of Construction Practice (CoCP) – compliance with National Planning Policy Framework (NPPF) tests</p> <p>TDC's Post hearing submissions [REP4-093] included concerns about the Five Estuaries OWF's CoCP compliance with the NPPF planning tests for conditions. Could the Applicant confirm that the planning conditions included in the North Falls OWF Outline Code of Construction Practice (OCoCP) comply with the NPPF tests?</p>	<p>Paragraph 57 of the NPPF (2024) states:</p> <p><i>“Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.”</i></p> <p>Requirement 8 of the Draft DCO requires the submission of the final Code of Construction Practice (CoCP) to the discharging authority for approval (in consultation with the relevant SNCB and Environment Agency) prior to commencement of the onshore works (see draft DCO submitted at Deadline 7 [6.1, (Rev 8)]).</p> <p>Section 1.1.3 of the OCoCP [REP6-034] was updated at Deadline 6 and refers to Working hours and timing of works.</p> <p>Paragraph 48 sets out the normal working hours. Paragraph 49 refers to 'high impact' activities being excluded on Saturdays between 1300 – 1900 hours, and lists what those high impact activities are, such as piling/breaking out, vibratory compaction, and use of hydraulic hammer.</p> <p>Paragraph 50 then sets out the precise circumstances in which works may be required to be undertaken outside of the normal working hours. These are listed in 10 bullet points.</p> <p>Paragraph 51 then sets out the protocol for undertaking works outside of working hours. Applications for working outside of the consented construction hours must be submitted to the relevant local authority a minimum of two working days in advance. Members of the public must also be notified, for example via the project website, of any proposed working outside of the consented construction hours a minimum of two working days in advance (excluding emergency works).</p> <p>These paragraphs are sufficiently precise such that any breach would be enforceable by the relevant authority. Furthermore, there will be additional detail provided within the final CoCP (that must accord with the OCoCP) that must be submitted to and approved by the discharging authority (in consultation with the relevant SNCB and Environment Agency) under Requirement 8 of the Draft DCO (see draft DCO submitted at Deadline 7 [6.1, (Rev 8)]).</p> <p>Compliance with the 6 tests of the NPPF (2024) listed in paragraph 57 are summarised below:</p> <p>(1) Necessary – the Applicant agrees that appropriate controls for working hours are necessary and hence has included such controls within the Draft DCO through the CoCP.</p>

1. General and Cross-topic Questions			
ExQ3	Question to	Question	Applicant's Response
			<p>(2 & 3) Relevant to planning and to the development – construction working hours and the management of activities within the construction period is a material planning issue and is why the Applicant has proposed controls within the Draft DCO through the CoCP.</p> <p>(4) Enforceable – for the reasons outlined in the paragraphs above the Applicant considers that the specific details provided under Section 1.1.3 of the OCoCP are sufficiently enforceable, notwithstanding the further detail to be provided in the final CoCP.</p> <p>(5) Precise – Section 1.1.3 of the OCoCP provides precise construction working hours and clear exceptions for works to be carried on outside of those hours including the protocol by which such works are to be approved and communicated.</p> <p>(6) Reasonable in all other respects – the Applicant has provided comment in response to REP2-036_c and REP2-036_d in the Applicant's Comments on Responses to ExQ1 [REP3-036] which provides the reasoning behind the Applicant's proposed construction working hours. The Applicant submits that this explanation supports a conclusion that the Applicant's proposed construction working hours are reasonable in all other respects.</p> <p>For the reasons outlined above, the Applicant's proposed controls on construction working hours for the Project set out in the OCoCP (and later CoCP) secured via Requirement 8 of the Draft DCO comply with the six tests identified within Paragraph 57 of the NPPF (2024).</p>

1.3 Agriculture and other land uses, ground conditions and soils

2. Agriculture and other land uses, ground conditions and soils			
ExQ3	Question to	Question	Applicant's Response
Q2.0.1		No ExA third questions	

1.4 Alternatives

3. Alternatives			
ExQ3	Question to	Question	Applicant's Response
Q3.0.1	Applicant	<p>The Applicant's response to ExQ2 3.0.2 [REP5-054] states that it is NESO's responsibility to deliver a connection for the Project under the connection agreement signed by the Applicant and NESO.</p> <ul style="list-style-type: none"> (i) Does that connection also include a date by which that connection agreement must be provided or are there any caveats to its provision? (ii) In relation to the prospect of an offshore connection point by way of an alternative, given the timescales involved is there any credible prospect of one being identified that could deliver a connection for the Project by 2030? 	<ul style="list-style-type: none"> (i) The connection agreement is a standard document, containing a specific appendix which sets out project-specific key milestone dates by which time certain aspects of the project and grid connection need to be completed. These dates are provided for in the Bilateral Connection Agreement between the Applicant and NESO. Such dates are reviewed by both NESO and the Applicant and can be updated as needed if agreed by both parties, and by NESO unilaterally. To update any dates, a variation to the existing contract needs to be agreed. (ii) A connection into the SeaLink bootstrap was investigated as part of the Offshore Coordination Support Scheme (OCSS). This connection has specific issues due to the added complexity of the constraint relief benefits SeaLink brings to NESO, as evidenced by the NESO "ESO East Anglia Network Study" (available: https://www.neso.energy/document/304496/download) and its need for further reinforcement should windfarms connect to SeaLink. As the Applicant has previously stated, a new viable integrated offshore connection option that can deliver a connection for the Project by 2030 has not been identified to date. Whilst the option to connect offshore remains part of the Project in recognition of the ever evolving technical and commercial grid landscape within Great Britain, an onshore radial connection is required at present to achieve the operational date of 2030 (see Q3.1.7 in the Applicant's Response to Written Questions (ExQ1) [REP2-020] and Q9.1.14 in the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054]).
Q3.0.2	Applicant	<p>The Deadline 6 submission of Sir Bernard Jenkin MP [REP6-094] raises concerns in relation to the siting of the proposed new substation at Ardleigh, directly adjacent to the Dedham Vale AONB. In terms of site selection and alternatives for the substation site:</p> <ul style="list-style-type: none"> (i) Please comment on the compatibility of the sub-station site with the advice set out in NPS EN-5 paragraph 2.9.19. (ii) Please also summarise the consideration given to the level of mitigation proposed to be provided in this location and the consideration of an alternative site further from the Dedham Vale AONB and its setting. 	<p>(i)</p> <p>The Applicant refers to its response to paragraph 2.9.18 – 2.9.19 of the National Policy Statement for Electricity Networks Infrastructure (EN-5) in the National Policy Statements Accordance Table [REP6-043].</p> <p>This response sets out how the Applicant considered this policy in the development of the Project. The Applicant submits that, on this basis, the North Falls substation site is compatible with the policy in paragraph 2.9.19 of EN-5.</p> <p>(ii)</p> <p>Mitigation: The Applicant has prepared an outline landscape mitigation strategy (see Appendix A of the Outline Landscape and Ecological Management Strategy [REP6-035]) with the purpose of mitigating both visual effects of the Project upon nearby sensitive receptors, and landscape effects. This includes tree and hedgerow planting alongside ecological enhancements to provide visual screening of the onshore substation and to integrate with and support the local landscape character. ES Chapter 30 Landscape and Visual Impact Assessment (LVIA) [APP-044] concludes in Table 30.28 that both with and without this mitigation, effects on the views from the Dedham Vale National Landscape are likely to amount to, at most, negligible visual effects, and in Section 30.5.3.2 that effects upon the special qualities of the Dedham Vale National Landscape are unlikely to be significant (see Section 30.5.3.2 of ES Chapter 30 LVIA [APP-044]). These conclusions apply across the construction, operation and decommissioning phases of the Project.</p> <p>Consideration of alternatives: The location of National Landscapes/Areas of Outstanding Natural Beauty (AONBs) were one of the multiple constraints considered during the Project's onshore substation site selection process, as detailed in Section 4.8 of ES Chapter 4 Site Selection and Assessment of Alternatives [APP-018]. As outlined in Section 4.8 of ES Chapter 4 Site Selection and Assessment of Alternatives, the identification of the preferred location for the onshore substation was determined following a detailed comparative analysis of alternative options which met the Project's</p>


3. Alternatives			
ExQ3	Question to	Question	Applicant's Response
			<p>technical and consenting requirements. During this assessment, consideration of views from nearby AONBs were taken into account, and a landscape walkover and preliminary Zone of Theoretical Visibility assessment were undertaken to understand the potential landscape and visual effects of different options. The comparative assessment concluded that effects on the Dedham Vale AONB were not a key constraint on progressing the preferred option for the onshore substation site given the distance of the preferred location for the onshore substation site from the Dedham Vale AONB and the limited potential for views of the onshore substation from the Dedham Vale AONB. The assessment also considered that the preferred option met the Project's technical criteria, in particular being located in proximity to the National Grid connection point at the East Anglia Connection Node and being able to be co-located with the Five Estuaries onshore substation. This position was supported by the findings of ES Chapter 30 Landscape and Visual Impact Assessment (LVIA) [APP-044], which concluded that effects on the special qualities of this National Landscape are unlikely to be significant (see Section 30.5.3.2 of ES Chapter 30 LVIA [APP-044]).</p>
Q3.0.3	Applicant	<p>At ISH 1, the ExA asked the Applicant to provide a written submission explaining the need for a 2030 completion date in line with government policy. The Applicant's Deadline 4 Response to Actions List for ISH1 and ISH2 [REP4-036] states that this is the date stated in the current North Falls Bilateral Connection agreement with NESO for connection of the Project to the national grid. However, the ExA request in relation to national policy support for a 2030 completion date, as opposed to whatever might be set out in a commercial agreement. Please can the Applicant provide any policy reference to the 2030 date upon which it relies to prefer the chosen site over other longer-term alternatives.</p>	<p>The Overarching National Policy Statement for Energy (EN-1), (DESNZ, 2024) (NPS EN-1) at paragraph 2.21 states:</p> <p><i>"In June 2019, the UK became the first major economy to legislate for a 2050 net zero Greenhouse Gases ('GHG') emissions target through the Climate Change Act 2008 (2050 Target Amendment) Order 2019. In December 2020, the UK communicated its Nationally Determined Contributions to reduce GHG emissions by at least 68 per cent from 1990 levels by 2030. In April 2021, the government legislated for the sixth carbon budget (CB6), which requires the UK to reduce GHG emissions by 78 per cent by 2035 compared to 1990 levels."</i></p> <p>NPS EN-1 section 3.3 titled 'The need for new nationally significant electricity infrastructure' sub-section 'The role of wind and solar' states at paragraph 3.3.21:</p> <p><i>"As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50 gigawatts (GW) of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade."</i></p> <p>As set out above, NPS EN-1 identifies how energy infrastructure can play a key role in ensuring the Nationally Determined Contributions which aim to reduce GHG emissions by at least 68 percent from 1990 levels by 2030 are met under the Climate Change Act 2008 and notes that the UK government intends to deliver up to 50 gigawatts (GW) of offshore wind by 2030 as part of this programme.</p> <p>Furthermore, as listed in Paragraph 2.2.11 and section 2.3 of the Needs Case and Project Benefits Statement [REP2-004] the following national policy documents make reference to 2030 as a target delivery date for additional clean energy capacity:</p> <ul style="list-style-type: none"> - British Energy Security Strategy – this strategy builds on the Net Zero Strategy to outline the acceleration of UK power for greater energy independence and long-term security in light of rising global energy prices and aims to increase the pace of offshore wind deployment by 25% and sets the target of 50GW of offshore wind by 2030. - Powering Up Britain: Energy Security Plan – this plan was published in 2023 and set out how the Government aims to improve the UK's energy security, maximise economic opportunities of the net zero transition and reach net zero by 2050. This includes the aims of doubling Britain's electricity generation capacity by the late 2030s and fully decarbonising the power sector by 2035.

3. Alternatives			
ExQ3	Question to	Question	Applicant's Response
			<ul style="list-style-type: none"> - Clean Power 2030 Action Plan - an update to UK Government strategies was published through the Clean Power 2030 Action Plan in December 2024. This strategy discusses the rapid and mass deployment of new clean energy, including offshore wind, to deliver a clean power system by 2030. New clean energy capacity will include a total of 43-50 GW of offshore wind and identifies offshore wind of having "a particularly important role as the backbone of the clean power system." To support rapid deployment of offshore wind, the strategy identifies the need to accelerate the planning process across Great Britain for energy infrastructure, as network and offshore wind developments will need to begin construction by 2026 if they are operational by 2030. <p>Taking the NPS EN-1 and other government policy listed above there is clearly national policy support (further supported by the fact the Project is Critical National Priority infrastructure) for delivering additional offshore wind capacity as quickly as possible with 2030 identified as a target date. This is set out within the broader context of the need to reduce GHG emissions across all sectors under the Climate Change Act 2008.</p>
Q3.0.4	Applicant	At ISH1, the prospect of the imposition of a DCO Requirement of the type proposed by Essex County Council requiring the coordination of the construction phases of the North Falls and VEOWF projects. The Applicant's Deadline 4 Response to Actions List for ISH1 and ISH2 [REP4-036] states that there may be separate consenting, environmental mitigation or route to market issues for one project which means that aligned programmes slip and it asserts that a DCO Requirement requiring both projects to align their construction phases would increase the risk of delay to the NFOWF. Please provide further explanation including practical examples as to how such delay might occur as a result of such a requirement and how it could place the Applicant at a competitive disadvantage.	<p>The Applicant refers to its response to Q9.1.15(iv) in the Applicant's Response to Response to ExA's Second Written Questions (ExQ2) [REP5-054].</p> <p>Various processes need to occur prior to construction commencing such as the discharge of DCO requirements, award of a CfD and the associated supply chain commitments. These processes culminate in a project financial investment decision (FID) taken by the shareholders and Board of directors. These processes inform when other integral preparatory steps can be commenced such as the procurement of required material (noting that the offshore elements of the Project requires the Applicant to order a large number of long lead items at considerable cost) and are completed with reference to the proposed construction period.</p> <p>If Five Estuaries experiences delays at any stage of these processes, this will, in turn, delay the commencement and completion of other required steps, and ultimately, when construction can commence.</p> <p>It is by no means certain that North Falls and Five Estuaries will run to the same programme in respect of the processes outlined above e.g. one project might receive a CfD before the other. The imposition of the proposed Grampian condition tying North Falls' and Five Estuaries' construction phases means that any delays suffered by Five Estuaries (a separate developer of a separate project under a separate approval) will also be borne by North Falls and North Falls will effectively be dependent on Five Estuaries.</p> <p>This places North Falls at a competitive disadvantage because it undermines a key element project certainty for the Project (i.e. when the construction period will commence) in a manner which is, at least partially, out of the Applicant's control. This can have negative effects on the commencement and completion of the tendering process and procurement for the Project. North Falls must retain the ability to deliver independently of Five Estuaries if circumstances dictate.</p>

1.5 Aviation

4. Aviation			
ExQ3	Question to	Question	Applicant's Response
Q4.0.1	Applicant (Part (i)), Civil Aviation Authority (CAA) & National Air Traffic Service (NATS) Part (ii).	<p>Required Navigation Performance (RNP) Instrument Flight Procedures (IFP)</p> <p>The Applicant's response to ExQ1 Q4.1.3 (ii) [REP2-020] states:</p> <p><i>"The status of the two Required Navigation Performance (RNP) Instrument Flight Procedures (IFP) is unchanged. They are currently with the CAA awaiting approval. However, as noted in Table 17.1 and paragraph 133 of ES Chapter 17 [APP-031], the RNP IFPs were designed by NATS, who confirmed to the Applicant in writing (email of 27 January 2023) that the WTGs are laterally well beyond the protected areas of the proposed RNP IFPs and as such there would be no impact if or when the RNP IFPs are approved by CAA. As such, the Applicant is not aware of any outstanding aviation issues or concerns."</i></p> <p>The ExA asked the CAA [PD-012, ExQ2 Q4.02 part (ii)] to: "In particular, clarify the status and envisaged timescales for approval of the two Required Navigation Performance Instrument Flight Procedures (referred to in ES Chapter 17 [APP-031] Table 17.1 as currently with the CAA awaiting approval)?" To date no response has been received from the CAA.</p> <p>As part of the Compulsory Acquisition Hearing [EV7-002][EV7-003], the ExA asked the Applicant to provide an update on the approval of the Required Navigation Performance Instrument Flight Procedures (RNP IFPs) by the CAA.</p> <ul style="list-style-type: none"> (i) Further to the Applicant's Written Summary of Oral Submissions at Compulsory Acquisition Hearing [REP6-064] Item 3.5, given that it is understood that the RNP IFPs are with the CAA awaiting approval, could the Applicant provide a more detailed response on why this is not a consent that the Applicant is seeking and provide proposals for concluding the approval process of the RNP IFPs, including how this would be secured in the dDCO. (ii) Could NATS and CAA provide draft wording for a new requirement for the draft Development Consent Order to preclude development prior to the approval of the RNP IFPs by the CAA. 	<p>London Southend Airport (LSA) submitted an Airspace Change Proposal (ACP) to the Civil Aviation Authority (CAA) in 2019. The ACP is entirely unrelated to North Falls and was not initiated as a result of, and is in no way required to mitigate any impact of North Falls. The ACP concerns the introduction of new Instrument Flight Procedures (IFPs) which will provide aircraft that are flying to LSA with the tracks to follow as they approach the airport. These particular IFPs have been designed by NATS and are Required Navigation Performance (RNP) approach procedures. This means they are for aircraft that use Performance Based Navigation, technology that does not require ground-based navigation aids but rather uses a Global Navigation Satellite System to achieve more precise flight path track keeping. RNP procedures also require aircraft to have on board monitoring equipment to alert the crew of any track deviations.</p> <p>When an ACP is submitted it must pass through a number of stages before the CAA make a final decision on the proposal's acceptability. Although proposals can take several years, the process ensures that the CAA decision on whether to approve the change to UK airspace is taken in an impartial and evidence-based way.</p> <p>According to the CAA's online ACP website, the LSA ACP was commenced in November 2016 and the formal proposal received by the CAA on 29 March 2019. The CAA has yet to complete the operational, consultation or environmental assessment stages which are required before the issue of a decision document. There is currently a significant backlog of ACPs awaiting CAA approval but, according to the CAA, ACPs that were commenced before 2018 are now being given priority. Nevertheless, it appears unlikely that the LSA RNP procedures will be approved within the next twelve months and, if approved, there would be a further two- or three-month period before publication.</p> <p>All IFPs are designed to provide pilots with properly designated obstacle and terrain protection. The IFP tracks that aircraft fly along have protected areas associated with them that must not be infringed by obstacles either vertically or laterally. For example, published minimum safe altitudes guarantee that aircraft will remain at least 1,000 feet vertically clear of all obstacles in their vicinity.</p> <p>In January 2023 North Falls requested NATS, the designer of the proposed LSA RNP procedures, to assess the potential impact of the Project on the new IFPs. The NATS Principal Procedure Designer responded to the request stating that the North Falls turbines would be "laterally well beyond the protected areas of the RNP procedure set." He went on to say that "If you agree that your development is contained within the yellow bounded box in the image below [reproduced below with North Falls array area boundary added for clarity], its clear to me that there is no impact on the RNP procedures without needing to do any calculations."</p> <p>In February 2025 North Falls sought confirmation from LSA regarding any impact on their existing IFPs and in response LSA agreed that there would be no anticipated impact from North Falls on the current published IFPs.</p> <p>For the above reasons it can be categorically stated that whether or not the proposed RNP procedures for LSA are approved by the CAA and published has no bearing on the decision to grant development consent for North Falls, the Project would not impact aviation interests (either existing or any new IFPs) and the proposed RNP procedures are in no way related to or required as a result of North Falls (i.e. it is not mitigation for North Falls); and in turn no Requirement is needed in respect of this point in the dDCO. As the proposed RNP procedures for LSA are entirely divorced from and have nothing to do with North Falls, it is unnecessary and unlawful to impose a Requirement which precludes development of North Falls prior to any approval of the proposed RNP procedures.</p>

4. Aviation

ExQ3	Question to	Question	Applicant's Response
			 An aerial photograph of a coastal region, likely the Chesapeake Bay area. A red outline highlights a specific landmass or area within the water. Four coordinate labels are present: top-left (52°01'14.84"N, 001°47'12.14"E), top-right (52°01'24.98"N, 002°06'03.03"E), bottom-left (51°36'54.27"N, 001°47'51.20"E), and bottom-right (51°37'04.27"N, 002°06'31.98"E). A copyright notice for Microsoft Corporation is visible in the bottom right corner.

1.6 Climate Change and Resilience

5. Climate Change and Resilience

ExQ3	Question to	Question	Applicant's Response
Q5.0.1		No ExA third questions.	

1.7 Compulsory Acquisition

6. Compulsory Acquisition			
ExQ3	Question to	Question	Applicant's Response
Q6.0.1	Applicant	<p>The scope and purpose of the compulsory acquisition powers sought</p> <p>Notwithstanding the Applicant's position as stated during the examination in relation to the extent of the land proposed to be acquired for the sub-station site, please can the Applicant provide, on a without prejudice basis, a land plan showing the extent of the land that would be needed to provide the NFOWF sub-station only, and auxiliary items for that sub-station in compliance with the requirements of the Grid.</p>	<p>The Applicant acknowledges the Examining Authority's request for a land plan, provided on a without prejudice basis, showing the extent of land required solely for the construction, operation, and maintenance of the North Falls Offshore Wind Farm (NFOWF) substation (including associated infrastructure and mitigation). The Applicant is, however, not able to provide such a plan at this time because the final detailed design of the NFOWF substation and associated infrastructure has not yet been undertaken.</p> <p>At present, all of the land identified within the Applicant's Land Plans [AS-018], being plots 15-014, 15-016 and 16-001, is required for the NFOWF substation and associated infrastructure as part of the onshore substation works area. Justification for the permanent acquisition of this land is set out within paragraph 5.3 of the Statement of Reasons [AS-028]. The Applicant also refers to its Response to Q6.1.6 and Q6.1.7 of Applicant's Response to Written Questions (ExQ1) [REP2-020] which provides detail as to the items required for the substation and why all the land is required. The onshore substation will comprise the following items:</p> <ul style="list-style-type: none"> - The onshore substation itself; - A construction compound to allow works within the onshore substation area to be managed and coordinated; - Drainage works including attenuation ponds; - Access roads to the onshore substation and construction compounds; and - Mitigation planting / earthworks to ensure the onshore substation visual impacts are mitigated. <p>The Design Vision [REP5-004] presents the approach to the design of the Project's onshore substation and its associated infrastructure. As the Five Estuaries Offshore Wind Farm (VEOWF) is being developed in close proximity, the Design Vision has been developed on the basis of co-located substations. This coordinated approach supports ensuring efficient land use and minimises cumulative impacts.</p> <p>Mitigation measures including landscaping and visual screening are required to address significant adverse effects identified through the Environmental Impact Assessment (EIA) process. The Outline Landscape and Ecological Management Strategy [REP6-035] provides an illustrative vision for landscaping, and how these mitigation measures could be delivered. The indicative layout is based on the 'Realistic Worst Case Scenario' for NFOWF and the 'Maximum Design Scenario' for VEOWF, as assessed in the EIA.</p> <p>As the final detailed design of these items has yet to be finalised, it is not currently possible to identify or define the exact area required within the onshore substation works area for the NFOWF substation alone. Consequently, the Applicant's current position is that all of the relevant land identified within the land plans [AS-018] is required to deliver the NFOWF substation and at this time it is not possible to provide a plan for the NFOWF substation only.</p> <p>However, as stated by the Applicant in its oral submissions at the Compulsory Acquisition Hearing, the Applicant is only able to exercise the compulsory acquisition powers over the land it actually requires for the Project (see [REP6-064]). Therefore, in a scenario where only North Falls comes forward, compulsory acquisition powers would only be exercised over the area of land required for North Falls once the detailed design has been finalised.</p>
Q6.0.2	Applicant, Gwyn Church	<p>Objections to the compulsory acquisition powers sought</p> <p>The written summary of oral submissions made on behalf of the Executors of Charles Tabor at CAH Part 2 [REP6-093] state that a</p>	<p>(i)</p> <p>The Applicant is cognisant of the importance of ensuring continued access for agricultural operations. Under UK regulations, regulation 8 of the Road Vehicles (Construction and Use) Regulations 1986</p>

6. Compulsory Acquisition			
ExQ3	Question to	Question	Applicant's Response
		<p>minimum of 10m right of way is required to enable them to continue to access the farmland. The Applicant's summary of oral submissions at the CAH [REP6-064] states that a width of 5m to 10m would still not allow the combine harvester to pass with the header attached. Please provide further details as follows:</p> <ul style="list-style-type: none"> (i) What are the width and height restrictions applicable to the relevant part of the public road network and how do these compare to the width and height of the farm vehicles concerned. (ii) Please explain the process of removing and re-attaching the header including time, personnel involved and the area of standing crop that would need to be driven over. (iii) Please confirm the minimum width for the harvester to pass along the easement route with the header attached. (iv) Whilst the Applicant's points in relation to the need for flexibility to provide landscaping and ecological enhancement are noted, please provide further and specific details as to why a 10m right of way along the northern boundary of the proposed landscape area shown on the Design Vision document [REP5-004] could not be accommodated. (v) The parties are requested to agree and submit a plan showing a 10m right of way along the northern boundary. 	<p>specifies that the maximum width for motor vehicles including agricultural vehicles must not exceed 2.55 metres. Article 21(2) of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 allows for certain special type agricultural vehicles to operate on roads at widths not exceeding 4.3 metres (which includes the width of any lateral projection or projections of any load carried on the vehicle).</p> <p>Where special type agricultural vehicles and equipment exceed 3 metres in width, notification must be made to the chief officer of police (typically an Abnormal Loads Officer) for each area in which the vehicle in which it is to be used at least 24 hours in advance, in accordance with Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 as set out within Article 24. Alternatively, a dispensation letter can be sought from the chief officer of police.</p> <p>The Applicant is not aware of any restrictions on height of agricultural vehicles save that operators are under a duty to ensure they can safely pass under obstacles e.g. bridges, overhead cables.</p> <p>While the Applicant has not been provided with the specific dimensions of the landowner's agricultural vehicles, the proposed minimum 5 metre wide reserved access offered to the landowner exceeds the maximum widths permitted under current legislation on the public highway, including for special type agricultural vehicles.</p> <p>(ii)</p> <p>The process of detaching and reattaching the combine harvester header is a routine agricultural operation particularly when moving between fields, navigating narrow access routes or travelling along the public highway. While the procedure and time taken will vary between make and model of combine harvester and the skill level and experience of the operatives performing the task, the general process and time required is as follows:</p> <p><u>Detaching the header</u></p> <p>To remove the header from the combine harvester, a tractor (or another vehicle equipped with a pick-up hitch) must be available to tow the header trailer. The header trailer is a dual-axle unit designed to transport the header safely between fields or on public roads.</p> <p>The trailer must be parked on a level surface with the brakes applied to ensure stability during the transfer. The combine driver begins by detaching all hydraulic fittings and the PTO (power take-off) shaft that powers the header. Although disconnected, the header remains supported by pins at the front of the combine, allowing it to be raised or lowered as needed.</p> <p>The driver then aligns the combine with the header trailer, ensuring the header is positioned securely onto the trailer's support pads. Once positioned, the header is lowered into place on the trailer. The driver then disengages the header from the combine and reverses away, leaving the header safely secured on the trailer.</p> <p><u>Moving the header</u></p> <p>Before moving, the operative must ensure that the locking arms (typically sliding metal bars) are fully engaged to secure the header on the trailer. Once secured, the tractor and trailer enters the next field first, followed by the combine harvester.</p> <p>To allow for reattachment, the attachment side of the header must face the combine. This requires the tractor driver to pull into the field, make a turn and then reverse the trailer into position to align with the incoming combine harvester.</p> <p>Once the trailer is correctly positioned and the brakes are applied, the locking arms are released, allowing the header to be lifted off and reattached to the combine.</p>

6. Compulsory Acquisition			
ExQ3	Question to	Question	Applicant's Response
			<p><u>Reattaching the header</u></p> <p>Once the header trailer is aligned with the combine entering the field, the combine driver will drive forward, positioning the feederhouse area in line with the header's mounting points. Using the hydraulic lift system, the driver will raise the feederhouse to align with the header's connection points.</p> <p>Once aligned, the driver will lift the header off the trailer, reverse slightly, and then lower the header to secure it onto the combine. The hydraulic pipes and PTO shaft are then reconnected to restore power and control to the header.</p> <p>After reattachment is complete, the header trailer is moved and harvesting operations can resume.</p> <p>This whole process requires 2 personnel (one operating the combine the other the tractor) and typically takes no more than 40 minutes for reasonably competent operatives.</p> <p><u>Impact on standing crop</u></p> <p>In most cases minimal standing crop will be driven over or suffer damage from detaching/reattaching the combine header. This typically occurs at field edges or headland where crop growth is generally weaker and often suffers from turning and machinery manoeuvring either in the process of combining or previous operations carried out multiple times during the crops growth (e.g. spraying, fertilizing). If the header is detached/reattached within standing crop it would be common for only a narrow strip (typically circa 2 metres wide) to be affected. In this instance it is still possible to harvest any crop that has been knocked over by either lowering the header or operating at a slower speed which allows the header to gather the crop more effectively. This is common practice where lodging occurs and crops fall over due to wind, rain or weak stem growth.</p> <p>(iii)</p> <p>The Applicant has not been advised of the width of the header of the landowner's combine harvester and therefore is not in a position to comment further on this question.</p> <p>(iv)</p> <p>The Applicant refers to its response given to 3.6 of Applicant's Response to Actions List for CAH1 [REP6-069], which provides details as to why a reserved access width greater than 5 metres cannot be accommodated at this time.</p> <p>The Applicant is seeking to balance the landowner's access requirements with the need to deliver a compliant and effective landscaping and ecological scheme that is acceptable to the relevant planning authority. The proposed minimum 5 metre-wide access represents a proportionate compromise that supports continued access for agricultural vehicles while maintaining the flexibility required during the ongoing design development.</p> <p>While a 10 metre access cannot be committed to at this time, the Applicant notes that as the design process progresses and becomes sufficiently advanced, it may be possible to accommodate a wider access, provided this does not compromise the overall landscaping and ecological mitigation strategy. For example, wider gaps in hedgerow/woodland could result in fragmentation effects disrupting ecological connectivity.</p> <p>(v)</p> <p>The Applicant refers to its response to question (iv). At this time, the Applicant is unable to commit to or provide a plan showing the specific location of a 10 metre-wide reserved access for the landowner's benefit.</p>

6. Compulsory Acquisition			
ExQ3	Question to	Question	Applicant's Response
Q6.0.3	Applicant, Gwyn Church	<p>Objections to the compulsory acquisition powers sought</p> <p>The written summary of oral submissions made on behalf of T Fairley & Sons Limited at CAH Part 2 [REP6-095] raise concerns in relation to the land immediately adjoining the boundary of the residential property, yard and buildings. The Applicant's summary of oral submissions at the CAH [REP6-064] confirm that the area in question falls within the Five Estuaries Order Limits and is not part of the North Falls Order Limits or landscaping proposal.</p> <ul style="list-style-type: none"> (i) For the avoidance of doubt, and in the light of the landscape proposals for this location, the Applicant is requested to confirm that it does not seek any powers of compulsory acquisition in respect of the land in question. (ii) In relation to the land within the ownership of this objector at the proposed substation site that is proposed to be compulsorily acquired, the Applicant is requested to provide a summary explanation as to why it considers that the land to be acquired is no more than is reasonably required for the purposes of the development and is proportionate and why the development could only be landscaped to a satisfactory standard if the land sought were to be compulsorily acquired. (iii) The parties are requested to agree and submit a plan identifying the precise area in question together with the North Falls Order Limits. 	<p>(i)</p> <p>The Applicant confirms that the land to the north and east of the residential property known as Normans Farm, described by the landowner in their submission at Deadline 6 following CAH Part 2 [REP6-095] does not form part of the Project. As this land is not part of the Project or within the Project's Order Limits no powers of compulsory acquisition are being sought.</p> <p>For clarity, land falling to the west of Normans Farm does fall within the Project's Order Land and powers of compulsory acquisition are being sought over the land identified as plot 15-016 of the Applicant's Land Plans [AS-018].</p> <p>(ii)</p> <p>The Applicant refers to its response to Q6.0.3(i) in the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054].</p> <p>The Applicant has set out the justification for the land and rights required to deliver the Project in the Statement of Reasons [AS-028]. All the land included within the Order Land including plot 15-016 as identified in the Applicant's Land Plans [AS-018] is needed to achieve the identified purpose of delivering the Project (see Appendix A of the Statement of Reasons [AS-028] which sets out a plot-by-plot analysis of why compulsory acquisition, the imposition of new rights or restrictions and temporary possession is required for the Project)..</p> <p>The Applicant refers to the Needs Case and Project Benefits Statement [REP2-004], which details the case underpinning the need for the Project and its contribution to meeting key national policy aims including decarbonisation to achieve net zero, safeguarding security of energy supply and generating affordable electricity. These objectives are outlined for example within the Department for Energy Security and Net Zero's <i>Clean Power 2030 Action Plan: A New Era of Clean Electricity (2024)</i>.</p> <p>The land surrounding the proposed onshore substation is required for cabling, access, landscaping, to mitigate local landscape and visual effects to an acceptable level, drainage and for environmental mitigation works related to the onshore substation, as shown on Figure 30.1.6 Landscape Mitigation Plan, 3.2.26 ES Chapter 30 Figures Part 1 of 6 [APP-083]. Further detail on this point was provided by Mr Reid at the Compulsory Acquisition Hearing [REP6-064].</p> <p>While the Applicant is seeking a voluntary agreement with this landowner, it is still necessary for the Applicant to be granted the compulsory acquisition powers included in the draft Development Consent Order [REP6-005] to enable the Applicant to deliver the Project in a scenario whereby, for example: the landowner passes away, is declared insolvent or a dispute arises. In addition, the Applicant would need the power to extinguish and/or suspend rights and override easements in the Order Land to the extent they might conflict with the Project.</p> <p>The approach of making the application for powers of compulsory acquisition in the application and in parallel, conducting negotiations to acquire land by agreement, accords with paragraph 26 of the <i>Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land</i> (DCLG, 2013) ('CA Guidance').</p> <p>The Applicant therefore considers that the land subject to powers of compulsory acquisition is no more than is reasonably required, is proportionate to the scale and nature of the development and is essential to deliver the Project (including landscaping) to an acceptable standard.</p> <p>(iii)</p> <p>The Applicant produced a plan and shared this with the landowner's representative Gwyn Church on 10 July 2025 for their review. Gwyn Church confirmed via email on 14 July 2025 that the plan is an accurate depiction of the land in question along with the North Falls Order Land. The plan is included</p>

6. Compulsory Acquisition

ExQ3	Question to	Question	Applicant's Response
			within the Appendix to Applicant's Response to ExA's Third Written Questions (ExQ3) (Document Reference: 9.113).

1.8 Cumulative Effects

7. Cumulative Effects			
ExQ3	Question to	Question	Applicant's Response
Q7.0.1	Applicant	<p>Cumulative Impacts of the Proposed Onshore Substations for the proposed development, Five Estuaries and EACN</p> <p>The Applicant's response to ExQ2 7.0.6 (ii) [REP5-054] asserts that: "North Falls can connect to the grid via an alternative means if development consent for the EACN substation is not granted as part of the Norwich to Tilbury project. The EACN connection point is the optimal connection point, but others would be made available in the event that the EACN was delayed or rejected."</p> <p>(i) Please identify the other connections that would be made available in that event and in what timescale?</p> <p>(ii) In relation to 7.0.6 (iii) please provide further details of the distinction between the backfeed date and the export of power date referred to therein including the anticipated timing of those dates; why the backfeed date is not expected to be significantly impacted and the implications that any delay to the Norwich to Tilbury project might have for those dates. In addition, what are the implications for the timing of the scheme that might arise from the "Gate 2" process.</p>	<p>(i)</p> <p>The Applicant refers to its response to Q9.1.5(viii) and Q9.1.6(i) below.</p> <p>The Applicant refers to its response to Q9.1.5(viii) above and comments by the Examining Authority at paragraphs 5.4.19 and 5.4.20 in the Recommendation Report prepared by the Examining Authority in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project (Sheringham Shoal).¹ In that matter, the applicant and NGET had a connection agreement in place to provide connection at the Norwich Main substation. This connection point required works / upgrades which did not have planning permission.</p> <p>At paragraphs 5.4.19 and 5.4.20 in the Recommendation Report prepared by the Examining Authority in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project (Sheringham Shoal),² the ExA was of the view that provision of a connection to the grid is a matter for NGET to address and not the Applicant, in circumstances where, as in Sheringham Shoal, a signed grid connection contract that was in place. The ExA further noted that, as set out in the <i>National Policy Statement for electricity networks infrastructure (EN-5)</i>, [DESNZ, 2024] (EN-5), (then, paragraph 2.3.5; now, paragraph 2.8.5), NGET has a statutory duty to provide a connection whenever and wherever one is required.</p> <p>The Applicant submits that these comments also apply to the Project. The Applicant is not able to advise on other connections that could be brought forward by the National Energy Systems Operator ("NESO") Grid, and it would be for NESO to identify and assess the appropriate locations for a connection - including the method of connecting to the North Falls onshore substation.</p> <p>The timescales for bringing forward other connections would be controlled by NESO and be informed by technical, commercial, and consenting requirements which the Applicant is not party to. It would therefore not be appropriate for the Applicant to predict or suggest timescales in the event that an alternative connection point would be required.</p> <p>(ii)</p> <p>To enable commissioning of the windfarm element of the Project, power is required to be drawn from the grid to energise and commission the hardware. Only after all equipment e.g. export cables, transformers and turbines have been proven to work correctly can power be exported to the grid. Therefore, there is inherently a delay between first power and the backfeed date contained within the Bilateral Connection Agreement between NESO and the Applicant (BCA). Because of the power demand of the process, the backfeed date is less likely to be impacted by other works to the Norwich to Tilbury link or any delays to its ability to carry full power.</p> <p>The Gate 2 process is a prioritisation of generation projects with existing connection agreements. Given the status of North Falls, the Gate 2 process is not expected to have significant impact on the Project given the Project has an Agreement for Lease with the Crown Estate and is currently in the planning process.</p>

¹ Planning Inspectorate, Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project – Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero (17 October 2023). [Available at: [this link](#); Accessed: 8 July 2025)].

² Planning Inspectorate, Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project – Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero (17 October 2023). [Available at: [this link](#); Accessed: 8 July 2025)].

1.9 Design

8. Design			
ExQ3	Question to	Question	Applicant's Response
Q8.0.1	Applicant, and IPs	<p>Good Design</p> <p>The Applicant confirmed in its response to ExQ2 8.0.1 [REP5-054] that changes would be made to the Design Vision [REP5-004] confirming that stakeholders and interested parties will contribute to the design process. The ExA notes guidance on the matter is set out in the guidance note: Nationally Significant Infrastructure Projects: Advice on Good Design. A good design process includes a number of components including the following:</p> <ul style="list-style-type: none"> a collaborative, multi-disciplinary approach including positive community and land rights engagement a succinct and ambitious vision for the project, underpinned by a clear analysis of the context for the place, its environment and the opportunities for creating social value, including for the local and wider economy <p>(i) Please can the Applicant set out further information and practicalities for the arrangements to enable these components.</p> <p>(ii) Please can IPs provide views as to the arrangements either emerging or necessary in order for collaboration, community engagement and opportunities for creating social value.</p>	<p>(i)</p> <p>The updated Design Vision [REP5-004], published at Deadline 5, provides an updated section on the development of the Joint Design Guide.</p> <p>There has been ongoing dialogue between the Applicant and a working group comprising of Essex County Council and Tendring District Council, in order to agree on a suitable approach to community and land rights engagement. Following Deadline 5, the engagement strategy was further refined, identifying two phases of engagement (Phase 1: Monday 18 August to Monday 29 September 2025 and Phase 2: Monday 13 October to Monday 24 November 2025), which align with the various Parish Council meeting dates. Engagement will include online briefings to parish councils and local district councilors, wider community engagement via an in-person drop-in event, direct engagement with landowners and sharing of information via the projects' websites. Feedback will be gathered at the events or via the projects' emails. Parish councils may also collate and contribute their community's feedback.</p> <p>On 10 June 2025, the Applicant wrote to landowners with an interest in the proposed onshore substation land to introduce the development of a Joint Design Guide. The correspondence set out the purpose of the document, the engagement process and offered a meeting to discuss its content and how landowners can provide feedback and participate in shaping the Joint Design Guide through ongoing dialogue.</p> <p>The Joint Design Guide will set out the vision for the Project, underpinned by a clear analysis of the context for the place, its environment and the opportunities for creating social value, including for the local and wider economy. This includes an external review process whereby the Essex Quality Review Panel (EQRP) is providing insight and guidance, with the first review meeting having been held on 2 July 2025.</p>
Q8.0.2	Applicant, ECC	<p>Good Design – Essex Quality Review Panel (EQRP)</p> <p>Please confirm progress towards the EQRP site visit scheduled for 2nd July 2025, as referenced in [REP5-054] response to ExQ2 8.0.1, and update on progress for information days regarding design and joint design.</p>	<p>The site visit took place as planned on the 2 July 2025. The EQRP panel (which consisted of 5 members) observed the onshore substation site from various viewpoints, including from Ardleigh Road and Barn Lane.</p> <p>The onsite visit was followed by an afternoon review session of the first draft of the Design Guide, with both North Falls and Five Estuaries project teams presenting the draft guide and its appendices. Representatives from ECC were also in attendance. Topic areas discussed included Environmental Colour Assessment, Layout and Materials Guidance and Landscape and Ecology Guidance. The EQRP have committed to providing a written report to ECC within 15 working days of the review session.</p> <p>In relation to progress on information days regarding design and joint design, the Applicant can confirm that both North Falls and Five Estuaries are committed to hosting a public information day event in September 2025 with a date to be confirmed in the coming weeks, in addition to 3 parish council briefing meetings between September and December 2025.</p>
Q8.0.3	Applicant, ECC	<p>Good Design – Design Champion</p> <p>The ExA notes that a Design Champion will be appointed in due course. A design champion is one of the components of a good design process set out in Nationally Significant Infrastructure Projects: Advice on Good Design. Their role is within design</p>	<p>The Applicant can confirm that a Design Champion will be appointed within the next 4/6 weeks, with a candidate already identified and good progress made toward selecting additional members of the internal design review panel. All appointments (including the Design Champion) will be in place with sufficient time to assist with the discharging of Requirements 5 and 6 of the dDCO.</p>

8. Design			
ExQ3	Question to	Question	Applicant's Response
		<p>leadership, and the design champion ensures “design governance is secured and the design principles drive a structured design process and hierarchy of design control”.</p> <p>Please can the Applicant provide further consideration to the timeline for the design champion's appointment, and confirm that this will allow sufficient time to assist with the discharging of Requirements 5 and 6 of the dDCO.</p>	
Q8.0.4	Applicant, and IPs	<p>Joint Design Guide, Design Vision and Hedgerows</p> <p>The ExA notes that the Joint Design Guide is currently being developed by NFOWF and VEOWF, and it is expected to address the relationship to various other elements: roads, ditches, planting etc. The Design Vision [APP-234] has now been updated as [REP5-004]. At the onshore substation, the Design Vision considers that reinstatement of historic field boundaries will strengthen the historic landscape character, and planting along existing layers of natural screening to maintain the agrarian landscape.</p> <p>(i) Please provide a current update regarding the Joint Design Guide as close to Deadline 7 as to the current stage this is at, as well as a timeline envisaged for completion.</p> <p>(ii) Please can the Applicant (and other IPs, optionally) comment on the scope of this joint guidance to consider the requirement for wider (up to 12 metre hedge openings).</p> <p>(iii) Regarding the Design Vision, please explain whether or not wider access points (up to 12 metres) would affect the agrarian landscape.</p> <p>(iv) Noting ECC's comments that ECC welcomes the proposal of a Joint Design Guide but has concerns as to the extent and character of the proposed landscape strategy, please comment on how concerns that a wider vision for landscape is required, and how could be addressed in the Joint Design Guide.</p>	<p>(i)</p> <p>Production of the Joint Design Guide is now underway and a draft version has been subject to review by the Essex Quality Review Panel. The revised programme identifies two rounds of engagement (Phase 1: Monday 18 August to Monday 29 September 2025 and Phase 2: Monday 13 October to Monday 24 November 2025), with final presentation of the document in December 2025.</p> <p>(ii)</p> <p>The Joint Design Guide includes design guidance on the layout of the two co-located substations and the wider site, including access points to the onshore substations and any requirements for 3rd party access, easements or wayleaves.</p> <p>(iii)</p> <p>Please see the Applicant's response to Q6.0.2 above. Maintaining a 12m wide access along the northern perimeter of the onshore substation site would effectively 'sterilise' this zone, meaning it could no longer form part of the proposed landscape and ecological mitigation and enhancement measures. It would also create a severance between existing and proposed Green Infrastructure (GI) assets.</p> <p>(iv)</p> <p>The Joint Design Guide considers how the landscape works within the onshore substation works area can contribute to the wider landscape, for example by ensuring that new planting has connectivity to existing off-site assets (hedgerows, shelter belts, ditches), and that the location, design and specification of new planting enhances existing views and/or creates new amenity views. Landscape elements and habitat types provided within the site will also reinforce existing noted characteristics/priority habitats within the local area.</p>

1.10 Draft Development Consent Order

9. Draft Development Consent Order			
9.0 Articles Part 2 – Principal Powers			
ExQ3	Question to	Question	Applicant's Response
Q9.0.1	Port of London Authority (PLA)	Article 2 (Interpretation) Definition of 'maintenance' The dDCO [REP5-008] requirement 2(3) provides that the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan, must be designed, installed, operated and maintained at a specified level. Please can the PLA confirm that this provision overcomes its concerns in relation to the definition of 'maintenance' in Article 2. If not, please explain any outstanding concerns in that respect.	
Q9.0.2	PLA	Article 2 (Interpretation) Definition of 'commence' The ExA notes the PLA's response to ExQ2 9.0.1(i) where it is stated that the PLA is not content to solely rely on the updated mitigation measures submitted at Deadline 4 as set out in its submissions at that deadline [REP4-044]. For the avoidance of doubt, please can the PLA confirm that its concerns in relation to the Article 2 definition could be satisfactorily overcome by the inclusion within the dDCO of protective provisions along the lines of those included within the VEOWF dDCO?	
Q9.0.3	Applicant, MMO	Article 5 (Benefit of the Order) The ExA note the MMO seek a Deadline 7 response on this matter. The reason for any requested change needs to be properly reasoned.	Noted.
Q9.0.4	Applicant	Article 5 (Benefit of the Order) The Applicant's written summary of oral submissions made at ISH2 [REP4-034] drew attention to the absence of notification provision of any sale, agreement or other transaction under Article 5 in the VEOWF Article 5. However, that dDCO [REP8-004] includes protective provisions at Part 10 paragraph 122 requiring the notification of the PLA of any transfer of the benefit. Does this not support the inclusion of such a provision in the NFOWF dDCO either by way of an amendment to Article 5 or by the inclusion of protective provisions?	The Applicant's position is that Protective Provisions (PPs) are not required in respect of the PLA, as adequate protections are secured in the dDCO and the DML relevant to the PLA and to duplicate control would be excessive and unnecessary. Said provisions include notifying the PLA in the event of activities to the extent they affect the PLA (and the other local harbour authorities) – see condition 16 and 17 of the DML in Schedule 9, which has been expanded at Deadline 7 (Document Reference 6.1, Rev 8). Moreover, the PLA (as a local harbour authority) must be consulted, per condition 22(1)(h) and new condition 37 proposed by the PLA and included in the updated dDCO. In the event of a transfer/grant of benefit of article 5 of activities/works that may affect the PLA, the transferee would be bound by all relevant obligations and provisions.
Q9.0.5	Applicant, EA	Article 6 (Application and modification of legislative provisions) The Applicant's written summary of oral submissions made at ISH2 [REP4-034] indicate that it would amend the protective provisions for the EA in the dDCO to reflect the agreed provisions included in the final dDCO for VEOWF at Deadline 4. For the avoidance of doubt, please can the parties confirm that in the light of the	The Applicant considers that the agreed protective provisions between the Applicant and EA were inserted into the draft Development Consent Order at Deadline 4 [REP4-004] and [REP4-005].

9. Draft Development Consent Order			
9.0 Articles Part 2 – Principal Powers			
ExQ3	Question to	Question	Applicant's Response
		protective provisions that have been agreed between the parties no further drafting changes to Article 6 are now sought.	

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
Q9.1.1	Applicant, ECC	<p>Requirement 5 (Substation works) The ECC Deadline 4 submissions [REP4-073] requests that this requirement is renamed to align with the equivalent VEOWF requirement, namely, 'Onshore substation works and design'. The Applicant's Deadline 5 submissions [REP5-056] state that it does not propose to make this requested change to the title of requirement 5 because it is unnecessary and has no material impact on the effect of the provision.</p> <p>(i) Please can the parties indicate whether this matter has been agreed and resolved. If there are any objections to the change in title, please can the Applicant explain what they are?</p> <p>(ii) If the ECC still seek this amendment, please provide reasons.</p>	<p>The Applicant refers to its response to item REP4-073_I 12 in [REP5-056].</p> <p>Further, the Applicant notes that the content of the corresponding requirements is not the same in the Five Estuaries draft DCO and North Falls draft DCO.</p> <p>The relevant requirement in the Five Estuaries draft DCO (being Requirement 5 - Onshore substation works, design and landscaping in [REP8A-004] in the Five Estuaries Examination Library) deals with the onshore substation works and design parameters for that work. It also directly references landscaping at sub-paragraph (6).</p> <p>The North Falls draft DCO has a separate requirement (Requirement 6 – Detailed design parameters onshore) which deals with the corresponding design parameters and does not refer directly to landscaping in Requirement 5 – Substation works.</p> <p>The Applicant submits that, in these circumstances, it would be confusing to mirror the title of the relevant requirement in the Five Estuaries draft DCO and the Applicant does not propose to adopt this change.</p>
Q9.1.2	Applicant, ECC	<p>Requirement 15 (Groundwater monitoring)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for Requirement 15 which reflects the drafting for the same requirement in the VEOWF dDCO. The dDCO submitted at Deadline 5 [REP5-009] includes an amended version of requirement 15. However, it does not entirely reflect the drafting sought by ECC at Deadline 4.</p> <p>(i) For the avoidance of doubt, please can the parties indicate whether the amended requirement 15 is agreed. If not, please provide reasons to support any variation.</p> <p>(ii) Applicant, ECC Should it be specified that the groundwater monitoring plan must include a timetable for implementation and require the plan to be implemented in accordance with the approved timetable?</p>	<p>The Applicant has updated the draft DCO at Deadline 7 to include the ExA's proposed amendments to this requirement with one minor change (see the Applicant's Response to Comments on the ExA's Proposed Schedule of Changes to the dDCO [Document ref: 9.106, (rev 0)] and the draft DCO Document ref: 6.1, (rev 8)).</p> <p>The Applicant has amended the reference to the 'outline groundwater monitoring plan' to the 'outline groundwater monitoring and mitigation plan' to align with the title of the relevant plan appended to the Groundwater Risk Assessment and Monitoring Plan – Private Water Supplies and Licenced Abstractions [REP5-049] to [REP5-052] at Appendix D.</p>
Q9.1.3	Applicant	<p>Requirement 17 (Control of noise during operational stage)</p> <p>Is the intention to use the "Onshore substations operational noise and the outline noise complaints protocol" [REP5-036] as the basis for the "noise investigation protocol" referred to in requirement 17?</p>	<p>Section 6 of the Onshore substations operational noise and the outline noise complaints protocol [REP5-036] sets out the outline onshore substations tripartite noise investigation protocol which provides the basis for the noise investigation protocol secured by Requirement 17 of the draft DCO (assuming that both North Falls and Five Estuaries proceed).</p>

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
		In which case will the document name be changed to be consistent with requirement 17?	<p>This section identifies, among other things, how the final noise investigation protocol will operate and what it will confirm / cover.</p> <p>Accordingly, we do not propose to amend the title of the Onshore substations operational noise and the outline noise complaints protocol.</p>
Q9.1.4	Applicant, ECC	<p>Requirement 17 (Control of noise during operational stage)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for requirement 17(2) to reflect a collaborative complaint handling approach in the noise investigation protocol. The dDCO submitted at Deadline 5 [REP5-009] does not include specific reference to a collaborative handling approach. The Applicant's Deadline 5 submissions [REP5-056] indicate that it does not propose to make this change.</p> <ul style="list-style-type: none"> (i) Please can the Applicant provide further reasoning to support the drafting of requirement 17 without the inclusion of such a specific reference. (ii) Please can the ECC explain further the need for the amendment which they seek to requirement 17. 	<p>The Applicant refers to its response to item REP4-073_o in [REP5-056].</p> <p>The Applicant does not propose to make this change because it considers that it is not necessary.</p> <p>Section 6.3 of the Onshore substations operational noise and the outline noise complaints protocol [REP5-036] sets out what the final protocol (which will be jointly produced by all undertakers that obtain DCO consent) will confirm and includes details of the approach to communication between the relevant undertakers, setting out how the operators will communicate with each other following receipt of a complaint so as to enable the efficient transfer of information and to minimise delays when investigation works are being transferred between operators.</p> <p>This already ensures an appropriate and functional level of cooperation and collaboration between the relevant operators when investigating a noise complaint relating to the onshore substations for all relevant projects.</p> <p>The Applicant reiterates that the current drafting of Requirement 17 mirrors the agreed drafting in the updated onshore substations operation noise and outline noise complaints protocol (between North Falls, Five Estuaries and NGET) submitted at Deadline 5 [REP5-036] and the corresponding requirement in the final draft DCO (rev I) submitted to the Five Estuaries Examination at Deadline 8a ([REP8-004] in the Five Estuaries Examination Library). The wording of the requirement needs to be the same across all three relevant DCOs in order to operate effectively.</p>
Q9.1.5	Applicant, SCC	<p>Proposed new Grampian requirement (SCC)</p> <p>The SCC at ISH1 [REP4-094] and [REP4-095] confirm that they seek a phasing requirements as set out in their LIR paragraph 7.3 [REP1-074]. The Applicant's response to ExQ2 9.1.13 [REP5-054] sets out in some detail its reasons for rejecting the imposition of such a requirement in this case. The SCC response to ExQ2 9.1.13 makes further submissions on this topic [REP5-117] and at Deadline 6 [REP6-092]. In the light of those submissions, the ExA seeks a response to the following points:</p> <ul style="list-style-type: none"> (i) Does the Applicant agree that whilst Norwich to Tilbury is a critical national priority (CNP) that does not guarantee that it will receive consent and there are other factors to be taken into account as set out EN-1? (ii) Does the Applicant accept that plans for the EACN may change and that there is potential for the North Falls wind turbine generators (WTGs) to be installed for a significant period of time without being connected to the Grid? (iii) In the light of the submissions made by SCC at Deadline 5, does the Applicant accept that there is no need to establish an 'exceptional' basis for the requirement. If not, please explain why. 	<p>(i)</p> <p>The Applicant refers to its response to item REP5-117_b in the Applicant's Comments on Responses to ExQ2 [REP6-061].</p> <p>As set out in various responses including the Applicant's response to Q9.1.13 in the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054], the Applicant's position is that there is a presumption in favour of granting consent to CNP infrastructure projects (see paragraphs 4.2.15 to 4.2.2 of the Overarching National Policy Statement for energy (EN-1) [DESNZ, 2024] (EN-1)). This presumption should be taken into account along with other relevant factors outlined in EN-1 such as the needs case, assessment of impacts and the application of the mitigation hierarchy for a project.</p> <p>The Applicant agrees that the Norwich to Tilbury project will not automatically be granted consent because it is CNP infrastructure however the fact that the CNP presumption applies in favour of the Norwich to Tilbury project is a relevant positive factor supporting the granting of consent.</p> <p>(ii)</p> <p>The Applicant accepts and has previously explained how the Project is accommodating the fact that elements of the plans for the EACN are not yet finalised.</p> <p>For example, as noted at the Compulsory Acquisition Hearing (CAH1), the final layout design of the EACN substation has not yet been confirmed including the location of the connection bays for the North Falls connection point which has informed the scope of the compulsory acquisition powers that the Applicant is seeking in this area (see the Applicant's response to item 3.1 in the Applicant's Written Summary of Oral Submissions at Compulsory Acquisition Hearing 1 (CAH1) [REP6-064]).</p>

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
		<p>(iv) In the light of the submissions made by SCC at Deadline 6, does the Applicant accept that the phasing restriction is necessary to follow the requirements of the mitigation hierarchy. If not, please explain why.</p> <p>(v) Notwithstanding the submissions already made on this matter, please can the Applicant explain in further detail its submission that the proposed requirement is not necessary to comply with the updated duty in section 85 Countryside and Rights of Way Act 2000.</p> <p>(vi) Notwithstanding the submissions already made on this matter, please can SCC explain in further detail why it regards the proposed requirement to be necessary to ensure that the project is designed sensitively and in accordance with the updated duty in section 85 Countryside and Rights of Way Act 2000.</p> <p>(vii) The SCC response to ExQ2 9.1.13 [REP5-117] bullet point 5 refers to the scope for amending the drafting of the requirement to ensure that the notification does not require formal approval. Please can SCC provide that alternative drafting for the proposed requirement.</p> <p>(viii) The Applicant draws support from the Recommendation Report in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project paragraph 5.4.20. The ExA's comments in that case were in the context of the viability of the proposed grid connection rather than the potential for delay in the context of the section 85 duty. The Applicant is requested to explain further why the existence of the connection agreement provides a sound basis for the assertion that a phasing agreement for the reasons given by SCC would be unreasonable.</p> <p>(ix) The Applicant is requested to explain in detail its submissions in response to 9.1.13 (iv) in relation to the delay to construction timeframes that it submits would result from the imposition of the proposed requirement. What is the difference in impact on construction timeframes that would result from the requirement as opposed to any delay that might occur due to the timing of any consent for the EACN or other means of connection? Please provide further details of the long lead items referred to and why these need to be ordered prior to March 2027? How would the proposed phasing restriction alter the level of risk in making those commercial decisions?</p> <p>(x) The Applicant's submissions in response to 9.1.13 (vi) refer to landscape policies and the consideration of nationally designated landscapes in the Hinkley Point C area. However, in the case of the Hinkley Point C Connector the 8.5km section through the Mendip Hills Area of Outstanding Natural Beauty (AONB) consisted of underground cable. Does that have a bearing on the</p>	<p>The Applicant does not accept, and is otherwise unable to make material comments on, SCC's statement in [REP5-117] that there is potential for the North Falls wind turbine generators (WTGs) to be installed for 'a significant period of time' without being connected to the grid.</p> <p>The relevant submission is a broad statement listing entirely hypothetical outcomes relating to the Norwich to Tilbury DCO Application and the existing connection agreement between the Applicant and NESO. The Applicant notes that SCC is opposed to the Norwich to Tilbury project and resolved to object to the project at a Cabinet meeting on 21 May 2024 and to request a pause so that an offshore solution could be considered instead.</p> <p>As set out in various responses including the Applicant's response to Q7.0.6 in the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054], the Applicant has signed a connection agreement with NESO and the delivery of that connection is a matter for NGET and NESO (either through the Norwich to Tilbury project or via some alternative approach as NGET sees fit). North Falls can connect to the grid via an alternative means if development consent for the EACN substation is not granted as part of the Norwich to Tilbury project. The EACN connection point is the optimal connection point, but others would be made available as required.</p> <p>(iii)</p> <p>SCC states that the proposed requirement is supported by policy in the NPS because it is necessary to comply with the duty to seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape (Duty) under section 85(A1) of the Countryside and Rights of Way Act 2000 (CRoW Act).</p> <p>SCC also refers to paragraph 5.10.8 and 5.10.32 in EN-1.</p> <p>Paragraph 5.10.32 of EN-1 relates directly to the consideration of applications for development within National Parks, the Broads and AONBs. The Applicant submits that this paragraph is not relevant because no aspect of the Project is located within the Suffolk & Essex Coast & Heaths National Landscape (SECHNL).</p> <p>Paragraph 5.10.8 of EN-1 discusses the duty to seek to further the purposes of nationally designated landscapes and states that projects outside the boundaries of these areas which may have impacts within them should be designed sensitively given the various siting, operational, and other relevant constraints. It also states that the Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Applicant submits that the Project has been designed sensitively with reference to the SECHNL and refers to the various actions taken by the Applicant to reduce impacts on the relevant National Landscapes (such as reducing the size of the offshore array), and consideration of the relevant National Landscapes (such as during the Applicant's site selection process) during the development of the Project. The Applicant notes that SCC has confirmed that it is not suggesting that the scale of the North Falls project needs to be reduced in order for the Duty to be complied with (see [REP4-096]).</p> <p>The Applicant disagrees that the proposed DCO Requirement is necessary to comply with the Duty for the reasons set out in its response to item 5 of its Position Statement on various issues relating to National Landscapes [REP5-068].</p> <p>As noted above, measures proposed as part of the Project or further measures imposed to avoid and reduce impacts on the statutory purposes of areas of outstanding natural beauty / national landscapes (including the SECHNL) must be sufficient, appropriate and proportionate.</p>

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
		comparability of the factual circumstances of the Hinkley Point C case with this case?	<p>As set out in its response to items 3.9.6 and 3.1.32 in the Applicant's Response to Actions List for ISH1 and ISH2 [REP4-036], the Applicant submits that the proposed phasing restriction does not meet the legal tests for a Requirement and therefore inclusion of that measure in the draft DCO cannot be considered a sufficient, appropriate and proportionate measure required to enable the Secretary of State and the Applicant to discharge the Duty in respect of the Project. The Applicant therefore does not accept SCC's arguments that the proposed phasing restriction is necessary for the purposes of discharging the Duty or is supported by paragraph 5.10.8 in EN-1.</p> <p>Accordingly, the Applicant maintains its position that it not aware of any precedent for the imposition of a requirement of this sort and considers that there is no basis to consider the Project as 'exceptional' such that a requirement of this type would be justified here even though it is not normally regarded as necessary and not supported by policy in the NPS.</p> <p>(iv)</p> <p>Please refer to the Applicant's response to (iii) above.</p> <p>The Applicant considers that the proposed phasing restriction does not meet the legal tests for a Requirement and therefore cannot be considered necessary to follow the requirements of the mitigation hierarchy to avoid, reduce, mitigate or compensate for adverse impacts.</p> <p>The Applicant submits that the various actions taken by the Applicant to reduce impacts on the SECHNL (such as reducing the size of the offshore array), and consideration of the relevant National Landscapes (such as during the Applicant's site selection process) during the development of the Project sufficiently demonstrates compliance with the mitigation hierarchy.</p> <p>(v)</p> <p>The Applicant refers to its response to item 5 of its Position Statement on various issues relating to National Landscapes [REP5-068] and to its response to (iii) above which discusses why the Applicant considers that the proposed requirement is not necessary to comply with the Duty.</p> <p>SCC states in [REP4-095] that the proposed phasing restriction prevents the Project from adversely affecting the SECHNL without providing the benefits of clean energy production which, it states, 'justifies' the adverse effects. It continues that, without this restriction, the Applicant could not be said to have complied with the Duty because it would have brought about 'unjustified harm' to the SECHNL, thereby 'failing to conserve its natural beauty'.</p> <p>The Applicant reiterates that the Duty is to <i>seek to further the purpose</i> of conserving and enhancing the natural beauty of relevant National Landscapes. It is not a duty to conserve and enhance. Therefore, if the purpose of the phasing restriction is to prevent a <i>failure to conserve</i> the SECHNL it steps outside the scope of the actual requirements of the Duty. On this basis, it cannot be said that the phasing requirement is necessary to enable the Duty to be discharged.</p> <p>(vi)</p> <p>This question is not directed to the Applicant.</p> <p>(vii)</p> <p>This question is not directed to the Applicant.</p> <p>(viii)</p> <p>The Applicant understands that SCC is concerned that North Falls will be constructed without a viable future connection to the grid and wants to make sure that the offshore components of the Project</p>

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
			<p>cannot be constructed until that connection is consented (see, for example, SCC's comments in [REP5-117] addressed in (ii) above).</p> <p>Accordingly, the Applicant submits that the comments at paragraphs 5.4.19 and 5.4.20 in the Recommendation Report prepared by the Examining Authority in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project (Sheringham Shoal)³ are relevant to a discussion of the proposed phasing requirement which is predicated at least in part on concerns that the currently identified grid connection via the EACN is not viable / will not be consented or will be significantly delayed.</p> <p>In paragraphs 5.4.19 and 5.4.20 of the Sheringham Shoal Recommendation Report, the ExA notes that:</p> <ul style="list-style-type: none"> the signed connection agreement reflects the requirements of NPS EN1 (Paragraph 4.9.1) where an Applicant should ensure that there will be infrastructure capacity within an existing or planned distribution network to accommodate the electricity generated and liaise with the relevant distribution network operator to secure a grid connection; the ExA could (in Sheringham Shoal) be satisfied that the signed grid connection contract did not depend on the delivery of the Norwich to Tilbury project. The Applicant submits that the ExA and Secretary of State can also be satisfied of that fact in relation to the Project; the ExA is of the view that this is a matter for NGET to address and not the Applicant given the signed grid connection contract that is in place; and as set out in the <i>National Policy Statement for electricity networks infrastructure (EN-5)</i>, [DESNZ, 2024] (EN-5) (then, paragraph 2.3.5; now, paragraph 2.8.5), NGET has a statutory duty to provide a connection whenever and wherever one is required. <p>The Applicant submits that these comments also apply to the signed connection agreement between the Applicant and NESO which allows for NESO to provide a grid connection through the Norwich to Tilbury project or via some alternative approach as NESO sees fit.</p> <p>These factors (particularly NGET's statutory duty to provide a connection where requested), combined with the CNP presumption and the signed connection agreement provide sufficient certainty that a grid connection will be provided for the Project to address this element of SCC's concerns. It is not necessary to insert a phasing requirement to provide the same comfort. The Applicant also refers to the various other reasons set out in its response to item 3.1.32 in the Applicant's Response to Actions List for ISH1 and ISH2 [REP4-036] as to why the proposed phasing requirement fails the relevant legal tests for a Requirement.</p> <p>(ix)</p> <p>Construction timeframes and long lead time items</p> <p>The Applicant refers to its response to Q9.1.13 (iv) in [REP5-054] and its response to REP5-117_b in the Applicant's Comments on Responses to ExQ2 [REP6-061].</p> <p>The Applicant plans to commence pre-construction works in 2027 with an aim for the Project to be operational by 2030. The Applicant notes that the construction of the offshore elements of the Project</p>

³ Planning Inspectorate, Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project – Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero (17 October 2023). [Available at: [this link](#); Accessed: 8 July 2025)].

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
			<p>requires the Applicant to order a large number of long lead items at considerable cost prior to March 2027 due to the lead time of items such as turbine foundations, and where manufacturing slots require a non-refundable deposit to be paid significantly far in advance. If the market keeps going at an expected rate, this will require a significant reservation fee being paid in early 2027 in order to meet the 2030 connection date.</p> <p>Furthermore, to service a successful CfD bid a robust engagement with the supply chain is required significantly prior to March 2027. With the proposed phasing requirement imposed on the Project it is unlikely that this could be achieved as such a requirement creates uncertainty in the minds of businesses and other parties in the supply chain over the delivery of the Project in a competitive market.</p> <p>These integral steps would not be able to be completed if the DCO cannot be implemented because the proposed phasing requirement has not been fulfilled. The relevant concern is that the procurement process and other preparatory steps required for the Project would be delayed until notification can be given that development consent for the National Grid substation has been granted which would, in turn, delay the construction of the Project.</p> <p>This would create a significant delay to construction timeframes making the Project's delivery by 2030 unachievable and jeopardising its ability to contribute to the UK's renewable energy targets in a timely manner. It could also impact on the Applicant's ability to undertake co-ordinated build out options for the Project with Five Estuaries (dependent on Five Estuaries timelines).</p> <p>The Applicant does not anticipate that a delay to the timing of any consent for the EACN or other means of connection would have this type of impact on construction timeframes. The Project and the Norwich to Tilbury project (or other means of connection) are independent projects that are being pursued separately and are not functionally interdependent. There would be no restriction on the implementation of the DCO which means that preparatory actions, required decisions and construction could proceed to anticipated timeframes.</p> <p>Please see further discussion on this point in the Applicant's Common Response 008 contained in the Applicant's Response to Relevant Representations Received from Members of the Public [REP1-048].</p> <p>Level of risk for commercial decisions</p> <p>CfD auction rounds, which the Project will need to secure a route to market in to make the Project viable, are held annually. Each CfD round has specific delivery years for offshore wind which require the relevant projects to be built out by this time. These delivery years are generally 3 or 4 years after the CfD award. Therefore, to achieve a connection to the grid in 2030 (and thus a Delivery Year of 2030/31), the Project could bid into the CfD auction in 2026 (i.e. prior to the DCO decision on Norwich to Tilbury). For any such CfD bid, that would require engagement with the supply chain prior to the relevant auction to ensure the price bid by the Project would be realistic in the market.</p> <p>As noted briefly above, the imposition of the proposed phasing requirement alters the level of risk in relation to required pre-construction commercial decisions because it constrains the Project in being able to ensure supply chain commitments are made to deliver on a 2030 programme and also constrains the Project from being able to optimise a competitive CfD bid due to the implied uncertainty in the delivery of the Project. Project supply chains are very competitive and suppliers will need confidence in the delivery of the Project to provide their best commitment.</p> <p>(x)</p>

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
			<p>The Applicant understands that the Hinkley Point C Connection project included both underground cabling (through the Mendip Hills AONB) and overhead lines.⁴</p> <p>In this scenario, the equivalent project to the Hinkley Point C Connection project for North Falls is the Norwich to Tilbury project.</p> <p>The Applicant understands that two design proposals were the subject of consultation and ongoing assessment in 2024 and 2025 for the Norwich to Tilbury project (the 2024 preferred draft alignment and the Waveney Valley Alternative).⁵ Both options include some underground cabling through the Dedham Vale National Landscape and overhead lines.</p> <p>On that basis, the Applicant considers that the factual circumstances of the Hinkley Point C case are comparable with the Project.</p>
Q9.1.6	Applicant, ECC, TDC	<p>Proposed new Grampian requirement (ECC, TDC)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for an additional phasing/Grampian requirement which they state is preceded in the recent Viking Carbon Capture and Storage Pipeline Order 2025. The Applicant's Deadline 5 submissions [REP5- 056] states that it disagrees that the recent Viking CCS Carbon Dioxide Pipeline Order provides a precedent for the phasing requirement sought by ECC and TDC because the projects are not sufficiently similar and further details are set out in response to ExQ2 9.1.14. The ECC/TDC response to ExQ2 9.1.14 makes further submissions on this topic [REP5-091]. In the light of those submissions, the ExA seeks responses to the following points:</p> <p>(i) The Applicant's response to ExQ2 9.1.14 sets out what it states are key differences between the North Falls scheme and the current case including that the connection to the grid is not a part of the North Falls project that it is responsible for delivering. In relation to the existence of a commercial connection agreement with NESO, the Applicant's response to 3.0.2 (ii) states that no information is available as regards any alternative approach by NGET. Whilst the Applicant has maintained optionality in its design envelope for an offshore connection point a viable option that can deliver a connection for the NFOWF by 2030 has not been identified to date. Against that background, the parties are requested to comment on whether there is any realistic prospect other than the EACN connection that would enable the achievement of the 2030 date. In those circumstances, would the Grampian requirement proposed by ECC/TDC serve a legitimate purpose?</p>	<p>(i)</p> <p><u>Alternative connections</u></p> <p>The Applicant refers to its response to Q9.1.5(viii) above and comments by the Examining Authority at paragraphs 5.4.19 and 5.4.20 in the Recommendation Report prepared by the Examining Authority in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project (Sheringham Shoal).⁶ In that matter, the applicant and NGET had a connection agreement in place to provide connection at the Norwich Main substation. This connection point required works / upgrades which did not have planning permission.</p> <p>The ExA was of the view that provision of a connection to the grid is a matter for NGET to address and not the Applicant given the signed grid connection contract that was in place. The ExA further noted that, as set out in the <i>National Policy Statement for electricity networks infrastructure (EN-5)</i>, [DESNZ, 2024] (EN-5), (then, paragraph 2.3.5; now, paragraph 2.8.5), NGET has a statutory duty to provide a connection whenever and wherever one is required.</p> <p>The Applicant submits that these comments also apply to the Project and its connection agreement with NESO and therefore considers that it is not in a position to comment on what alternative connections NGET could provide for the Project to meet the 2030 timeline if development consent for the EACN is not granted or is significantly delayed.</p> <p><u>Grampian condition</u></p> <p>In any case, the Applicant considers that the proposed Grampian condition would not serve a legitimate purpose in circumstances where the EACN is the sole viable grid connection option to meet the 2030 connection timeline for the Project.</p> <p>The proposed drafting as set out at [REP4-073] is as follows:</p> <p><i>"No part of the authorised development may commence until details of the following have been submitted to and approved by the Secretary of State — evidence of development consent being granted for the National Grid's East Anglian Connection Node substation which will connect the North Falls development to the grid."</i></p>

⁴ Department of Energy & Climate Change, Application for the Proposed Hinkley Point C Electric Line Connection (19 January 2016), [4] and [8]. [Available at: [this link](#); (Accessed on 8 July 2025).]

⁵ NGET, Norwich to Tilbury – Preliminary Environmental Information Report (Volume 1 – Main Text) (April 2024), p. 1-2. (Available at: [this link](#); Accessed on 8 July 2025].

⁶ Planning Inspectorate, Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project – Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero (17 October 2023). [Available at: [this link](#); Accessed: 8 July 2025)].

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
		<p>(ii) Furthermore, given that background does the progress or otherwise of the National Grid's DCO application have any bearing on the Applicant's engagement with the supply chain and placing orders. What would be the effect of delay to that project on the progress and delivery of the North Falls scheme?</p> <p>(iii) As regards the Secretary of State's decision in the Viking CCS Carbon Dioxide Pipeline Project, the Applicant makes the point that the onshore and offshore works for that project were all part of the Viking CCS project. Do ECC/TDC accept that this represents a key difference from the current case.</p> <p>(iv) The Secretary of State's decision in the Viking CCS Carbon Dioxide Pipeline Project paragraph 4.9 identifies the ExA's concern as being that the full benefits could not be realised until the entire CCS chain had been consented. Whilst the Applicant's points in relation to differences from the North Falls project are noted, as a matter of principle, is that concern not similar to the concern expressed by ECC/TDC in this case?</p> <p>(v) Please can ECC/TDC provide further justification for the inclusion of such a requirement in this case, in particular why they regard it as being necessary and reasonable to impose it.</p> <p>(vi) The Applicant in response to 9.1.14 (iv), disagrees with the statement and relies upon the NESO agreement to enable the North Falls project to connect to the grid via an alternative means if development consent for the EACN substation is not granted. The ECC/TDC response to 9.1.14 (i) asserts that if a DCO is not granted for the EACN substation, there will be no connection of the NFOWF to the grid and that EACN is currently the only option available to the project. The parties are requested to comment on the prospect of such an outcome and any alternative means of connection together with the implications that might have for the timing of the scheme.</p>	<p>This would mean that the Project could not be developed if the EACN was not consented which is a completely unreasonable outcome as it does not allow for another connection option to be provided by NGET. The Needs Case and Project Benefits Statement [REP2-004] demonstrates the evidence supporting the need for the delivery of the Project and demonstrates the benefits of its planned pre-2030 delivery date as well as the potential impact of delaying delivery. However, the Project would still be a valuable source of renewable energy with a wide range of benefits including economic growth, energy security and decarbonisation targets if connection to the grid occurred after the 2030 connection date.</p> <p>Further, even if the EACN was consented, integral preparatory steps for North Falls could not be completed if the DCO for North Falls cannot be implemented because the proposed Grampian requirement has not been fulfilled. This, in turn, would create a significant delay to construction timeframes making the Project's delivery by 2030 unachievable and jeopardising its ability to contribute to the UK's renewable energy targets in a timely manner. Please refer to the Applicant's response to REP5-117_b in the Applicant's Comments on Responses to ExQ2 [REP6-061].</p> <p>(ii)</p> <p>The Applicant refers to the preparatory steps outlined in Q9.1.5(ix) above and submits that (provided that the proposed Grampian condition is not imposed) the progress of the Norwich to Tilbury DCO Application would not restrict the Applicant's ability to commence these steps and engage with the supply chain as required.</p> <p>(iii)</p> <p>This question is not directed to the Applicant.</p> <p>(iv)</p> <p>The Applicant understands that ECC / TDC want to ensure that a grid connection is available to connect the Project to the Grid to capture the full benefits of the Project. The Applicant accepts that this is similar, in principle, to the concerns of the ExA relayed in the Secretary of State decision letter in respect of the Viking CCS Carbon Dioxide Pipeline project.⁷</p> <p>However, the Applicant reiterates that it has a signed connection agreement with NESO which allows for a grid connection for the Project through the Norwich to Tilbury project or via some alternative approach as NGET sees fit. The Applicant also refers to the comments outlined at (i) and Q9.1.5(viii) above in respect of the importance of a signed connection agreement.</p> <p>The Applicant notes the various factual differences identified between the onshore and offshore works comprising the Viking CCS project and the Project as set out in the Applicant's response to Q9.1.14(iii) in the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054] and maintains its position that the proposed Grampian condition fails the relevant legal tests for a Requirement in the specific context of this Project because it is not necessary and is unreasonable for the reasons given in its response to item 3.1.32 (Draft Development Consent Order (draft DCO)) in the Applicant's Response to Actions List for ISH1 and ISH2 [REP4-036] and its responses to Q9.1.13(ii), (iv), (v) and (vi) in [REP5-054].</p> <p>(v)</p> <p>This question is not directed to the Applicant.</p>

⁷ Planning Inspectorate, Viking CCS Carbon Dioxide Pipeline – Examining Authority's / Inspector's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero (5 December 2024) [Accessible at: [this link](#); Accessed on 8 July 2025).

9.1 Schedule 1 Part 3 – Requirements			
ExQ3	Question to	Question	Applicant's Response
			<p>(vi)</p> <p>Please refer to the Applicant's response to (i) above, its response to item REP5-091_e2 in the Applicant's Comments on Responses to ExQ2 [REP6-061].</p> <p>The Applicant disagrees with ECC/TDC's statement. North Falls could connect to the grid via an alternative means if development consent for the EACN substation is not granted as part of the Norwich to Tilbury project. The EACN connection point is the optimal connection point, but others would be made available by NGET in the event that the EACN was delayed or rejected.</p> <p>As explained at (i) above, the Applicant submits that it is not in a position to comment on what alternative connections NESO could provide for the Project to meet the 2030 timeline if development consent for the EACN is not granted or is significantly delayed.</p>
Q9.1.7	The Applicant, ECC, TDC	<p>Other matters relating to DCO requirements</p> <p>The ECC/TDC in response to ExQ2 9.1.15 (vi) in relation to requirement 19, state that to give the public reassurance, it would be advisable to certify the latest Co-ordination Report in the dDCO.</p> <p>(vii) Please can the Applicant indicate whether it agrees that this should be a certified document. If not, please give reasons.</p> <p>(viii) Please can ECC/TDC provide further reason and justification for the inclusion of the Coordination Report in the list of certified documents in Schedule 12 of the dDCO.</p>	<p>The Applicant does not propose to certify the Co-ordination Report in the draft DCO.</p> <p>The Co-ordination Report provides information on the extent of coordination and collaboration undertaken to date by the Applicant with other parties and projects as part of the development of the Project submitted to support the DCO Application.</p> <p>It is primarily a summary of actions already undertaken with a pledge at paragraph 11.1.7 to continue to engage with relevant parties to explore further co-ordination opportunities with the intention of updating the report as necessary during the Examination period. The document was updated at Deadline 1 to reflect the Applicant's continued work in this regard (see [REP1-004]).</p> <p>The Applicant is unclear as to what public reassurance ECC / TDC are seeking and does not follow ECC / TDC's reasoning that certifying this document will achieve that outcome. Certification is only required for documents actually referred to in the DCO itself. The sole purpose of certification is so that there is no dispute over the correct version of the document.</p>

9.2 Schedules 8, 9 and 10 – Deemed Marine Licences under the 2009 Act			
ExQ3	Question to	Question	Applicant's Response
Q9.2.1	Applicant	<p>Colouring of Structures</p> <p>The dDCO [REP4-004] Schedule 8, Part 2, Condition 17 (2) states <i>"(2) Subject to paragraph (1) above, unless the MMO otherwise directs, the undertaker must ensure that the wind turbine generators are painted light grey (colour code RAL 7035)."</i></p> <p>ES Chapter 27 [APP-031] Paragraph 27 includes: <i>"the rotor blades, nacelle and upper 2/3 of the supporting mast of wind turbines should be painted white, unless otherwise indicated by an aeronautical study."</i></p> <p>Please could the Applicant confirm that the colour stated in the dDCO is correct and if so advise why this different to the colour stated in the ES Chapter 27?</p>	<p>The Applicant can confirm that the dDCO is correct and the colour of wind turbine generators should be light grey (colour code RAL 7035) (except those areas covered by Schedule 8, Part 2, Condition 17 (1), to be coloured yellow). This is in line with the standard approach for wind turbine generators under MMO requirements, and Trinity House and Civil Aviation Authority remits.</p> <p>The question references an incorrect chapter and should reference Chapter 17 [APP-031] Aviation and Radar. The Applicant can confirm that the reference to white is erroneous and references general international aviation requirements.</p>
Q9.2.2	HHA & LGPL	Schedule 9 – Condition 22 (1) With reference to the draft DCO [REP5-009], Schedule 9, condition 23(4) states:	

9.2 Schedules 8, 9 and 10 – Deemed Marine Licences under the 2009 Act			
ExQ3	Question to	Question	Applicant's Response
		<p><i>(1) The licensed activities for each stage of construction of the authorised development must not commence until the following (insofar as relevant to that activity or stage of activity) has been submitted to and approved in writing by the MMO, in consultation with, where relevant, Trinity House, the MCA, UK Hydrographic Office and, relevant SNCB and (in relation to the cable specification and installation plan, the navigation and installation plan and the sediment disposal management plan (under sub-paragraphs (h), (n) and (o)) only) the local harbour authorities—</i></p> <p>Could HHA and LGPL confirm whether they are content with the Applicant's proposed changes in bold above? If you are not content, could you propose alternative wording?</p>	
Q9.2.3	HHA & LGPL	<p>Schedule 9 - Condition 23(4)</p> <p>With reference to the draft DCO [REP5-009], Schedule 9, condition 23(4) states:</p> <p><i>“(4) The licensed activities must be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 22, unless otherwise agreed in writing by the MMO (provided that the MMO has consulted with any party that it was required to consult with in relation to a relevant plan, protocol, statement, scheme or details pursuant to condition 22)</i></p> <p>Could HHA and LGPL confirm whether they are content with the Applicant's proposed changes in bold above? If you are not content, could you propose alternative wording?</p>	

9.3 Schedule 14 – Protective Provisions			
ExQ3	Question to	Question	Applicant's Response
Q9.3.1	Eastern Power Networks Plc, Environment Agency, Essex County Council, Five Estuaries Offshore Wind Farm Limited, Harwich Haven Authority, London Gateway Port Limited, National Grid Electricity Transmission, National Highways, Network Rail, and Port of London Authority	Protective Provisions With respect to negotiating Protective Provisions, advise on what the current position is with respect to agreeing a set of Protective Provisions in your favour with the Applicant. Where there is disagreement with the Applicant explain why that is the case and where any disagreement relates to matters of detailed drafting submit the version of your preferred text.	
Q9.3.2	ECC, Applicant	Protective Provisions With reference to ECC's SoCG [REP6-074] Item 2.7 Transport, point 10, could you provide an update in respect of the progress with agreeing the Framework Highways Agreement?	<p>The Applicant, Five Estuaries and ECC had a call on 14 July 2025 to discuss the proposed Framework Highways Agreement and how it would interact with the protective provisions and management plans. It was agreed that the intention is not to duplicate any approval processes and that it would be preferable for the form of agreement to be negotiated once the detailed design has been progressed so that it could more accurately reflect the final build out option/scenario between North Falls and Five Estuaries.</p> <p>In order to secure the obligation to enter into such an agreement prior to the commencement of any works to the public highway, the Outline Construction Traffic Management Plan will be updated at Deadline 8 to include an obligation on the Applicant to enter into such an agreement.</p>
Q9.3.3	PLA	PLA's preferred form of protective provisions With reference to the PLA's response to ExQ2 [REP5-112] Q9.4.3, could the PLA: <ul style="list-style-type: none"> (i) Compare Appendix 1(PLA's preferred form of protective provisions) with Appendix 2 (Protective Provisions included by VEOWF Ltd in the draft DCO) and provide a justification for the differences to include the insertion of the Indemnity clause (ii) For Appendix 1, review the references to Work No, 2(c) which is not referenced in the dDCO and Schedule 11 - Transmission Assets which is referred to in Schedule 9 of the dDCO. 	

1.11 Ecology/Biodiversity/BNG/HRA

10. Ecology/Biodiversity/BNG/HRA			
ExQ3	Question to	Question	Applicant's Response
Q10.0.1	The Applicant	<p>Fish and Shellfish Ecology: Downs herring</p> <p>Paragraph 210 of ES Chapter 11 Fish and Shellfish Ecology states:</p> <p><i>Taking account of the identified magnitude of impact (negligible to low) and the receptor sensitivities identified above for each species (low to high), TTS and behavioural effects associated with piling noise are considered to result in effects of negligible to minor significance for most species, with the exception of Downs herring for which an effect of 'moderate significance' has been identified. The outcomes of the assessment are summarised by species in Table 11.37.</i></p> <p>Yet Table 11.37 then categorises the significance of effect for Downs Herring as 'Minor' (which is not significant in EIA terms). Please verify or correct the significance of effect for Downs herring.</p>	<p>The assessment carried out for the Downs herring in ES Chapter 11 Fish and Shellfish Ecology [APP-025] takes account of the Applicant's commitment to a piling restriction to reduce potential impacts on this specific stock. For the purposes of the ES, this commitment was included as part of the embedded mitigation (See Table 11.3 within ES Chapter 11 Fish and Shellfish Ecology [APP-025]). It is with this in mind that a negligible impact magnitude was identified in respect of Downs herring. This combined with the high sensitivity of the receptor results in an impact of minor significance (as stated in Table 11.37).</p> <p>The reference to a moderate significance referred to by the ExA in question Q10.0.1, is a typo, carried over from the submissions made at the PEIR stage, when there was no commitment to the piling restriction and therefore no inclusion of the piling restriction as a form of embedded mitigation. This resulted in the impact significance on Downs herring pre-mitigation, being identified as moderate.</p>
Q10.0.2	NE	<p>Outer Thames Estuary (OTE) Special Protection Area (SPA)– Red Throated Diver (RTD)</p> <p>NE. Given the assessment in [APP-175], what specifically (if anything) are you seeking in further assessment of supporting habitats and prey availability. For the avoidance of any doubt is it your current advice that you cannot exclude AEol of OTE SPA (for RTD)?</p>	
Q10.0.3	NE The Applicant	<p>Marine Environment and Physical Processes - Worst Case Scenario (WCS) modelling parameters</p> <ul style="list-style-type: none"> (i) NE. Confirm the exact information required regarding WCS parameters for sediment deposition due to construction and why information provided to date is not sufficient to ascertain worst case effects. And clarify intention of pre-and post-construction survey inclusion. (ii) Does NE advise that there should also be provision for establishing additional mitigation if the survey data does not support the applicant's current conclusions on long-term stability of bedforms etc. Confirm if WCS for sediment disturbance volume due to sand wave levelling is reduced - if not, why not? (iii) Applicant. If you have not already done so comment on NE requests for commitment to pre- and post-construction bedform migration analysis and if the IPMP can be updated to include such a commitment. If yes, please update the IPMP. If no, explain your reasoning why it is not required. 	<p>(i) Not for the Applicant.</p> <p>(ii) Not for the Applicant.</p> <p>(iii) Pre- and post-construction bedform migration analysis has been included in 7.10 Offshore In-Principle Monitoring Plan (Rev01), submitted at Deadline 6 (Document Reference [REP6-032]).</p>
Q10.0.4	The Applicant NE	Margate Long Sands SAC / Kentish Knock East MCZ	<p>(i) The 150m buffer between offshore export cables and the MLS SAC; 50m buffer between foundations and the KKE MCZ; and 1km buffer between disposal of dredged material and the KKE</p>

10. Ecology/Biodiversity/BNG/HRA			
ExQ3	Question to	Question	Applicant's Response
		<p>Further comments are sought by the ExA on the buffers derived for MCZ and MLS SAC. The ExA note that the Applicant via [REP4-028] undertook bespoke hydrodynamic and dispersion modelling [REP4-040], accompanied by a technical note presenting the interpretation of sediments dispersion modelling results [REP4-042] and supporting information on offshore additional mitigation [REP4-041] which includes consideration of the Margate Long Sands SAC and KKE MCZ and confirms there will be no AEol or hinderance of the conservation objectives of these sites.</p> <p>(i) Applicant. Further clarify how buffers (50/150/200m or otherwise) relative to the MCZ and MLS SAC have been determined. Include regard to all relevant best practice (if any) and highlight what this entails. Also clarify how the buffers are secured by the DCO.</p> <p>(ii) NE. Specify the additional information and modelling required beyond existing information available. Specify if anything else is needed to gauge the effects to the MLS SAC.</p> <p>(iii) NE/Applicant. Can any further feasible avoidance measure or mitigation be applied to safeguard against any unwanted sediment dispersion and deposition?</p>	<p>MCZ were selected based on engineering review of the feasibility to offer buffers without reducing the ability of the Project to meet the Project objectives discussed in the HRA Derogation Provision of Evidence [7.2, Rev 2]. There is no available guidance of relevance to indirect effects on sediment habitats, however it is noted that Natural England's standard advice regarding sediment disposal in proximity to Sabellaria reef is that a 50m buffer should be used. While Sabellaria is not a protected feature of the SAC or MCZ, this buffer is considered by the Applicant to be a conservative proxy for the Annex I Sandbank of MLS SAC and the coarse sediment, sand and mixed sediment features of the KKE MCZ. Therefore, all of the buffers secured for North Falls meet or exceed this 50m buffer. Furthermore, the Marine Conservation Zone Assessment Report [7.3, Rev 1] and RIAA Part 2 Benthic Ecology [7.1.2, Rev 1] have been updated at Deadline 7 to take into account these buffers and are informed by further evidence provided by the Hydrodynamic and Dispersion Modelling Report [9.54, Rev 2]. These assessments confirm that there will be no AEol of the MLS SAC or risk of hindering the conservation objectives of the KKE MCZ. The buffers are secured as follows:</p> <ul style="list-style-type: none"> 50m buffer from KKE MCZ: This mitigation is secured by the offshore order limits in the Draft DCO because turbine foundations must be a minimum of 50m away from the order limits boundary to avoid turbine blade oversailing the order limits, therefore turbine foundations will also be a minimum of 50m away from the KKE MCZ. 150m buffer from MLS SAC: This is secured by condition 36 of the DML in Schedule 9 of the dDCO. 1km disposal buffer from KKE MCZ: This is secured by the outline Sediment Disposal Management Plan [REP6-049] <p>(ii) Not for the Applicant.</p> <p>(iii) As discussed above, these buffers are the maximum feasible, whilst still meeting the Project objectives and it is the Applicant's position that these buffers are sufficient to ensure there will be no AEol of the MLS SAC or risk of hindering the conservation objectives of the KKE MCZ. Furthermore, these buffers are on top of commitments made by the Applicant in the pre-application stage to avoid direct overlap with the MLS SAC and KKE MCZ in accordance with advice from Natural England.</p>
Q10.0.5	The Applicant NE IPs	<p>Compensation – Schedule 15 wording</p> <p>It is the RSPB's view compensation measures should remain in place for as long as the project's adverse impacts on the SAC/SPA/Ramsar site continue. Typically, they state this has needed to be "in perpetuity" as impacts have been permanent. The lifetime of the development wording as proposed by the Applicant within Schedule 15, paragraph 8 in [REP3-008] may need to be adapted.</p> <p>(i) Applicant/NE – Should the length of time the compensation measures the DCO secures for this project be based on the combination of the lifetime of the development plus the time it will take the affected bird population to recover from the impacts?</p> <p>(ii) Applicant - Please provide your updated preferred without prejudice draft wording for Schedule 15 to cover (i).</p> <p>(iii) IPs make whatever comment you deem necessary.</p>	<p>(i) The Applicant does not agree that there would be a requirement to extend compensation measures for ornithology features beyond the lifetime of the project.</p> <p>It is agreed that compensation should be maintained for as long as adverse impacts continue. Should compensation be required, the scale and duration of the measures would be set out in a Compensation Implementation and Monitoring Plan (CIMP) that would be agreed with a steering group (which would include Natural England) and the Secretary of State, prior to implementation. The CIMP would include calculations that would set out the required scale of compensation to ensure that there would be sufficient adult birds entering the population so that there would be no net population-level impacts on the affected species.</p> <p>The calculations would take into account the expected commencement of operation (i.e. start of effect) of the project, to ensure that adult birds were entering the population before such an effect would occur. If, for any reason, it was not possible to provide compensation sufficiently in advance for adult birds to enter the population prior to commencement, an allowance for a 'mortality debt' would be included to ensure that the debt was 'paid back' in the early years of operation.</p> <p>At no point after this time would there be a net adverse population effect, and at the time that the project was decommissioned, no requirement for 'recovery' of the affected species population. In other words, at the point where decommissioning was completed, the affected population would be no different to that which would have been predicted if the project had never been implemented. This is</p>

10. Ecology/Biodiversity/BNG/HRA			
ExQ3	Question to	Question	Applicant's Response
			<p>the fundamental principle of compensatory measures, and for that reason the Applicant considers that there would be no requirement for measures to be maintained beyond the lifetime of the project.</p> <p>(ii) Without prejudice to the Applicant's position as set out above, the Applicant's preferred condition wording is:</p> <p><i>The compensation measures implemented in accordance with the [xxx] CIMP must not be decommissioned without written approval of the Secretary of State in consultation with the relevant SNCB.</i></p>
Q10.0.6	NatureScot	<p>Without prejudice compensation – Red Throated Diver</p> <p>The ExA notes that a response is required on the Report on the Implications for European Sites (RIES) Question number 4.1.20 (related to Red Throated Diver) now published. Does NatureScot have any other comments to make on the Applicant's without prejudice compensation details related to Red Throated Diver compensation delivery or effectiveness? If so please provide them. Responses should be submitted by no later than Examination Deadline 7 which is 15 July 2025.</p>	
Q10.0.7	NE MMO NatureScot RSPB Essex Wildlife Trust Tendring Council The Applicant	<p>Report on the Implications for European Sites (RIES)</p> <p>The ExA notes that the Report on the Implications for European Sites (RIES) was published 1 July 2025. The ExA requests that the series of questions featuring within the RIES are answered by the relevant parties. The questions within the RIES detail to whom each question is asked.</p> <p>All responses must be submitted by no later than Examination Deadline 7 which is 15 July 2025.</p>	In accordance with the Rule 8 programme and dates provided within the RIES, the Applicant has responded to the two questions requested for Deadline 7 in the Applicant's Response to The ExA's Report on the Implications for European Sites (RIES) (Rev 0) (REIS Q7, Q26) [Document reference 9.103]. Responses to the remainder of the questions will be provided at Deadline 8.
Q10.0.8	The Applicant	<p>Rochdale Envelope</p> <p>For the avoidance of any doubt confirm why/or further clarify why the Rochdale Envelope cannot or should not be further reduced if accepting any form of ecological or wildlife harm for any aspect of the project.</p> <p>This is required as evidence towards why potential alternatives should be discounted where there is any significant adverse harm arising in EIA terms.</p>	<p>The Applicant's approach with regards to the EIA is in accordance with Schedule 4, Paragraph 2 of the Infrastructure Planning (EIA) Regulations 2017 which states: "A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects."</p> <p>The Applicant's assessment of alternatives with regards to the EIA is described in ES Chapter 4 [APP-108]. It is not a requirement of the EIA Regulations to reduce the Rochdale Envelope for any significant adverse harm arising in EIA terms nor is there any legal requirement under the EIA Regulations to demonstrate there are no alternatives. However, the Applicant has made extensive mitigation commitments, as discussed in each ES chapter and summarised in the Schedule of Mitigation [2.6, Rev 3].</p> <p>With regards to the Habitats Regulations, an assessment of alternative solutions is provided in the Derogation Provision of Evidence (without prejudice where applicable) (document reference [7.2, Rev 2]).</p>
Q10.0.9	The Applicant NE	Margate Long Sands SAC (MLS SAC) / HRA / Derogations and compensation	a. The Applicant has undertaken further modelling (hydrodynamic and dispersion modelling report [9.54, Rev 2]) and updated the RIAA Part 2 Benthic ecology [7.2.1, Rev 1] to address Natural England's comments which confirm there will be no discernible effect from cable protection in the

10. Ecology/Biodiversity/BNG/HRA			
ExQ3	Question to	Question	Applicant's Response
		<p>The ExA notes it may not be possible for the competent authority to exclude AEoI beyond reasonable scientific doubt on MLS SAC. As such, and in line with the relevant NPS EN-1 should the Applicant be unable to reach agreement with NE that there would be no AEoI from the proposed development alone or in combination with other plans and projects by Deadline 7, the ExA considers that a derogations case (without prejudice or otherwise) is required to be submitted.</p> <p>This is to enable the ExA to assess information during the examination and make a recommendation to the SoS, and so that the SoS has all relevant information available to them at the point of decision.</p> <p>a. The Applicant and NE are requested to confirm at Deadline 7 whether an AEoI on MLS SAC can be excluded.</p> <p>b. If agreement of no AEoI with NE is not possible the Applicant is requested to submit a without prejudice derogation case at Deadline 7.</p> <p>c. The Applicant must also provide any associated updated without prejudice compensatory requirements including all relevant Schedule 15 wording which would be necessary must be provided by the Applicant (on a without prejudice basis or otherwise) by Deadline 7.</p> <p>d. The Applicant must also provide an up-to-date revised Compensation Funding Statement [APP-186] demonstrating all project related compensation (without prejudice or otherwise) can be provided. This document should include due reference to the potential costs for ensuring effective compensation delivery. Alongside an updated Compensation Overview document reflecting all relevant changes. Also submitted by Deadline 7. The ExA requests [APP-186] includes more detail on how funds would be spent towards actual physical ecological compensation delivery itself.</p> <p>e. Applicant. The above (a-d) would also apply to any other potential derogation case matter not yet made related to NE advice (including the Stour and Orwell Estuaries SPA and Ramsar site)</p>	<p>SAC. Sediment arising within the offshore cable corridor will be comparable to that of the SAC and the modelling shows the depth of sediment deposition in the SAC would be 5-15cm, with only 0.24km² of overlap with the Annex I Sandbank feature of the SAC. This shallow, highly localised deposition of comparable sediment will rapidly be incorporated into the natural processes of the SAC. Therefore, the results of this additional work validate the Applicant's conclusions that there will be no AEoI of the MLS SAC.</p> <p>The Applicant has engaged with NE and understands their primary concern relates to indirect effects of cable protection. Noting the Applicant's commitment to a 150m buffer between cables/ cable protection and the SAC, and the results of the additional modelling submitted at Deadline 7, the Applicant still expects to resolve this matter and agree no AOEI of the MLS SAC by Deadline 8.</p> <p>As the Applicant has not yet been able to confirm an agreed position with NE considering the further Rev 2 modelling, in response to the ExA's request the Applicant provides a without prejudice derogation case for MLS SAC in the Habitats Regulations Derogation Provision of Evidence [7.2, Rev 2] and an Outline Benthic Compensation Implementation and Monitoring Plan [9.109, Rev 0].</p> <p>b. The Applicant provides a without prejudice derogation case for MLS SAC in the Habitats Regulations Derogation Provision of Evidence [7.2, Rev 2] and an Outline Benthic Compensation Implementation and Monitoring Plan [9.109].</p> <p>c. The Applicant provides a without prejudice compensation schedule for MLS SAC in the Without Prejudice HRA DCO Schedules [9.73, Rev 2].</p> <p>d. The Applicant provides an updated Compensation Overview at HRA Appendix 1 Compensatory Measures Overview [7.2.1, Rev 3]. The Applicant will provide an updated HRA Compensation Funding Statement at Deadline 8.</p> <p>e. With regards to Stour and Orwell, Natural England's relevant representation stated that this site had not been assessed, however this appeared to be a misunderstanding and the Applicant provided cross references to where this had been assessed. As this site has not been included in Natural England's risk and issues log, the Applicant understood this matter to be resolved. The Applicant has engaged with Natural England and understands that Natural England considers that, while there will be a residual impact to the site, given the nature of the farmland habitats being used by the lapwing from the SPA and the availability of similar habitats in the wider area, they are able to rule out AEoI for North Falls, alone and in-combination. Therefore, no further HRA derogation is provided.</p>
Q10.0.10	The Applicant NE	<p>Kentish Knock East MCZ (KKE MCZ)</p> <p>(i) Confirm if AEoI can be excluded to the KKE MCZ by Deadline 7.</p> <p>(ii) The applicant should otherwise submit a derogations case (on a without prejudice basis) also by Deadline 7</p>	<p>i. The Applicant has undertaken further modelling (hydrodynamic and dispersion modelling report [9.54, Rev 2]) and updated the MCZA Report [7.3, Rev 1] to address Natural England's comments. The results of this additional work, validate the Applicant's conclusions that there will be no risk of hindering the conservation objectives of the KKE MCZ. Furthermore, the Applicant has engaged with Natural England and understands their concerns relate to the temporary indirect effect of sediment deposition in KKE MCZ. Natural England advised that a derogation case, including MEEB, is not required subject to the Applicant committing to monitoring of the effects on the MCZ. The Applicant advised Natural England that an additional mitigation commitment was added to the In Principle Monitoring Plan [REP6-031/032] at Deadline 6. The In Principle Monitoring Plan is secured by the DMLs (Schedule 8, Part 2, Conditions 21, 25, 26 and 27; Schedule 9, Part 2, Conditions 22, 26, 27 and 28; and Schedule 10, Part 2, Conditions 21, 25, 26 and 27) and the monitoring plan must be</p>

10. Ecology/Biodiversity/BNG/HRA			
ExQ3	Question to	Question	Applicant's Response
			<p>developed in consultation with the relevant SNCB. Therefore, the Applicant understands that this matter is resolved.</p> <p>ii. As discussed above, the Applicant understands this matter is resolved and therefore a derogation case is not required.</p>
Q10.0.11	The Applicant	<p>The updated Hydrodynamic and Sediment Dispersion Modelling</p> <p>The applicant did not provide contours showing the predicted pressures from elevated sediment deposition against the MarESA benchmarks as requested by NE for the MLS SAC and the KKE MCZ. Please provide this information.</p>	<p>The hydrodynamic and dispersion modelling report [9.54, Rev 2] submitted at Deadline 7 (and the previous versions submitted at Deadlines 4 and 6) is based on sediment deposition of 5cm which is the MarESA benchmark of light smothering (as reported in Tyler-Walters <i>et al.</i> (2018)⁸). Therefore, the maps of sediment deposition in the hydrodynamic and dispersion modelling report [9.54, Rev 2] are contours showing the predicted pressures from elevated sediment deposition relevant to the MarESA pressure benchmark thresholds.</p>
Q10.0.12	The Applicant	<p>Outline Sediment Disposal Management Plan (SDMP) [REP6-049/ REP6-050]</p> <p>(i) What is meant by sediment in proximity to the KKE MCZ, can the Applicant define a specific distance or sediment type or cell?</p> <p>(ii) What methods would the Applicant use to dispose of sediment close to the MCZ where this is required? And where is this commitment secured? (as the Outline SDMP only appears to include the commitment not to deposit within 1km).</p>	<p>(i) The Applicant is unclear what this question is referring to as the Outline Sediment Disposal Management Plan (SDMP) [REP6-049/ REP6-050] states “<i>Disposal of any dredged sediment will be at a distance that is greater than 1km from the KKE MCZ.</i>”, with no other reference to sediment in proximity to the KKE MCZ.</p> <p>(ii) Sediment will be disposed of, in accordance with the Site Characterisation Report and Outline Sediment Disposal Management Plan. This includes disposal at the sea surface or at the seabed using a fall pipe. The EIA, HRA and MCZA are based on a worst case scenario of disposal at the sea surface and the effects are shown to be non-significant in EIA terms, and with no AEOL/ risk of hindering the conservation objectives of designated sites.</p>

1.12 Flood Risk, groundwater and surface water

11. Flood Risk, groundwater and surface water			
ExQ3	Question to	Question	Applicant's Response
Q11.0.1	Environment Agency, ECC	<p>Groundwater Risk Assessment and Management Plan</p> <p>The ExA notes the inclusion of the GRAMP in four parts [REP5-049 to REP5-052]. Please can the Environment Agency and LLFA confirm that this submission is to their satisfaction.</p>	
Q11.0.2	Applicant, Environment Agency	<p>Statement of Common Ground with Environment Agency</p> <p>The ExA notes that Item 3 of the SoCG has been updated to reflect the OHDD Method Statement and Construction Plan, based on discussions with the Environment Agency (and Natural England). The Environment Agency [REP5-088], however, has stated that it has not been contacted (as at Deadline 5). Please can both parties</p>	<p>The Applicant can confirm that, following discussions held on 26 June 2025, Item 3 in Table 2.8 of the Statement of Common Ground – Environment Agency is now agreed between the parties, and an updated version of the Statement of Common Ground [Document Reference 10.4, (rev3)] confirming this was submitted into the Examination at Deadline 7.</p>

⁸ Tyler-Walters, H., Tillin, H.M., d'Avack, E.A.S., Perry, F., Stamp, T., 2018. Marine Evidence-based Sensitivity Assessment (MarESA) – A Guide. Marine Life Information Network (MarLIN). Marine Biological Association of the UK, Plymouth, pp. 91. Available at: <https://marlin.ac.uk/assets/pdf/MarESA-Sensitivity-Assessment-Guidance-Rpt-Dec2018.pdf>

11. Flood Risk, groundwater and surface water			
ExQ3	Question to	Question	Applicant's Response
		update on whether or not the EA's comments have now been incorporated to the satisfaction of both, and the position agreed.	
Q11.0.3	Environment Agency	SoCG: Environment Agency position on Haul Roads SoCG Item 4 [REP5-076] suggests that the Haul Road Crossings (ref WX22A and WX23) are now agreed. Please can the Environment Agency expand or confirm as applicable.	
Q11.0.4	Applicant	SOCG: Environment Agency - Bridges and Culverts In response to ExQ2 Q11.0.5 the EA has confirmed the adequacy of updated datasets submitted as [REP4-032] and [REP4-033]. At Appendix 2 of [REP5-088] the Environment Agency recommends that culverts are able to contain the 1% annual probability of flow + climate change. Further, that expansion to the bridge and culvert will be temporary at point 63, and subsequently reinstated. Please can the Applicant confirm these points.	<p>The Applicant welcomes confirmation by the Environment Agency that the information provided in Flood Risk Assessment (Clarification regarding flood risk associated with watercourse crossings) - Technical Note [REP4-032] and Flood Risk Assessment (Updated NaFRA2 dataset) - Technical Note (Rev 0) [REP4-033] has addressed their concerns.</p> <p>With regards to the points raised in Appendix 2 of the Environment Agency's Responses to ExQ2 [REP5-088] the Applicant has reviewed the two additional comments related to paragraphs (points) 13 and 63 of Flood Risk Assessment (Clarification regarding flood risk associated with watercourse crossings) - Technical Note [REP4-032]:</p> <p>i. In relation to paragraph (point) 13 and the sizing of the culvert, the Applicant notes that this is included as a recommendation, and not a requirement, by the Environment Agency.</p> <p>Paragraph 14 of Flood Risk Assessment (Clarification regarding flood risk associated with watercourse crossings) - Technical Note [REP4-032] confirms that the haul road crossings and associated culverts would remain in place for a maximum of 27 months (as a worse case). This is supported by paragraph 226 of ES Chapter 5 Project Description [APP-019], which notes they would be in place for between 18 and 27 months. On this basis, the Applicant does not consider it appropriate to size the culverts to take into account climate change given the relatively short timescales that they will be in place for.</p> <p>Furthermore, with regards to the use of the 1% annual probability (1 in 100 year) flow when sizing the culverts, it is noted by the Applicant in paragraph 58 and 98 of Flood Risk Assessment (Clarification regarding flood risk associated with watercourse crossings) - Technical Note [REP4-032] that in both locations there are existing constraints to flow along the watercourses. In both of these locations, the Applicant notes that it is considered unlikely that the existing culverts / pipes would be able to convey the 1% annual probability event.</p> <p>The Applicant intends to incorporate culverts of a comparable size to the existing culverts in these locations and confirms, in both paragraph 62 and paragraph 99, that these actions will ensure the culvert has the capacity for the fluvial flow, whilst ensuring flood risk at the crossings and in the immediate surroundings is not increased and that it will remain at its current level.</p> <p>On this basis, the Applicant concludes that the design will be developed to ensure that as a minimum the required culvert would have an equivalent or larger capacity than the current structure and that this is a proportionate and appropriate approach.</p> <p>ii. In paragraph 63 of Flood Risk Assessment (Clarification regarding flood risk associated with watercourse crossings) - Technical Note [REP4-032] the Applicant confirmed that "... <i>the expansion to the bridge and culvert will be assumed as temporary in nature and will be reinstated upon completion of the installation of the onshore cable route.</i>"</p> <p>It remains the Applicant's position that this would be the case and that the expansion to the bridge and culvert would be removed once cable duct installations and subsequent cable pull</p>

11. Flood Risk, groundwater and surface water			
ExQ3	Question to	Question	Applicant's Response
			<p>has taken place. This is also supported by paragraph 220 of Environmental Statement Chapter 5 Project Description [APP-019], which confirms that:</p> <p><i>"Should the onshore cable route cross an open ditch or drain, and access for the haul road is required, an appropriately sized culvert may be installed within the ditch. The haul road would be installed over the top of the culvert to maintain access along the onshore cable route either side of the ditch. The culvert would be installed in the channel bed so as to avoid upstream impoundment and would be sized to accommodate reasonable worst-case water volumes and flows. The culverts may remain in place for the duration of the cable duct installation and subsequent cable pull."</i></p>

1.13 Historic Environment & Archaeology

12. Historic Environmental & Archaeology			
ExQ3	Question to	Question	Applicant's Response
Q12.0.1	Historic England, ECC	<p>Archaeological Mitigation Strategy and Written Scheme of Investigation</p> <p>Please can HE and ECC confirm that they are now in agreement with the AMS (9.65 Archaeological Mitigation Strategy (Rev 0) Parts 1 to 3 [REP5-046 to REP5-048]) and 7.12 Onshore Outline Written Scheme of Investigation (Rev 1) Parts 1 to 3 [REP5-016, REP5-018, REP5-020]. Other IPs may, optionally, comment.</p>	
Q12.0.2	Applicant. IPs	<p>Public Benefit</p> <p>NPS EN-5, para 2.2.10 requires that public benefits should outweigh harm to heritage assets. Please can the Applicant elaborate on the public benefits which it considers will outweigh any harm. IPs are invited to comment.</p>	<p>No designated heritage assets or non-designated heritage assets considered to be of equivalence to a designated heritage asset will be physically impacted by the Project.</p> <p>Other non-designated heritage assets (including buried archaeological remains and geoarchaeological deposits) which will be physically impacted by the Project were assessed as resulting in a low to negligible adverse magnitude of impact following mitigation, which equates to <i>less than substantial harm</i> at the lower end of the scale.</p> <p>Effects on heritage setting during construction and operation were assessed as having a low to negligible adverse magnitude of impact following mitigation, which equates to <i>less than substantial harm</i> at the very low end of the scale.</p> <p>The Archaeological Mitigation Strategy (AMS) [REP5-046 to REP5-048] and Onshore Outline Written Scheme of Investigation (OWSI [REP5-016], [REP5-018] and [REP5-020] set out initial research aims which the archaeological mitigation work will seek to contribute to and build upon, and also outlines a public engagement and community outreach programme whereby the information gained from the archaeological works will be fed back to the general public through various events and activities.</p> <p>The public benefits for the Project are outlined in the Needs Case and Project Benefits Statement [REP2-004] and were also outlined in response to ExQ2 Q1.0.4 within the Applicant's Response to ExA's Second Written Questions (ExQ2) [REP5-054].</p> <p>Given the Project's effects outlined above (low to negligible adverse effects following mitigation during construction and operation which equates to less than substantial harm), the benefits demonstrably outweigh any potential harm to heritage assets. This is evidenced by the significant contribution the</p>

12. Historic Environmental & Archaeology			
ExQ3	Question to	Question	Applicant's Response
			Project would make to reducing GHG emissions and addressing climate change; furthermore, other benefits include de-carbonisation of the electricity grid and the increased security to the UK's energy supply. The Needs Case and Project Benefits Statement [REP2-004] sets out the full list of benefits from the Project and highlights the urgent need for North Falls as Critical National Priority infrastructure as identified in NPS EN-1.
Q12.0.3	Historic England, ECC. Other IPs, optionally.	Requirement 11 – Alignment with VEOWF The ExA notes that the Applicant states that Requirement 11 of the dDCO [REP5-008] now aligns with that of the equivalent for VEOWF. Please can Historic England and ECC (or other IPs, optionally) confirm that they have reviewed and are in agreement.	
Q12.0.4	Applicant, Historic England	Statement of Common Ground – Historic England The ExA notes that within the SoCG submitted at Deadline 5 [REP5-084], items 2,3 and 8 of the offshore impact, and item 2 of onshore impact, remain in discussion. Please can the Applicant and HE provide a further update in light of any changes following submission of the OOWSI and AMS	The Applicant submitted the final version of the Historic England Statement of Common Ground at Deadline 6 [REP6-076] , with all items agreed.
Q12.0.5	ECC, Historic England	Temporary Effects ECC has stated that [REP5-090] significant effects arise from the construction works to several heritage assets along the Onshore Cable Route. ECC refers to: Ring Cottage and Tudor Cottage; Barker's Farmhouse; Hempstall's Farmhouse; Church of St Mary; Hannams Hall; The Old Rectory. ECC also stated that, following mitigation, Ring Cottage and Tudor Cottage would remain experiencing significant effects, and that the ExA is advised to take these into account when making a recommendation to the Secretary of State. The ExA notes that ES Chapter 26 Noise and Vibration [APP-040] concludes a negligible to minor adverse residual effect following embedded and additional mitigation, including for Ring Cottage and Tudor Cottage. Mitigation measures are set out in the OCoCP [REP5-022] and are secured via DCO Requirement 8 – Code of Construction Practice [REP5-008]. ECC's view appears to take the effects before the application of noise mitigation which would be secured by DCO Requirement. Please can ECC confirm whether or not, in its view, Ring Cottage and Tudor Cottage would remain experiencing significant effects following mitigation. Historic England is also invited to comment should they wish.	

1.14 Human Health

13. Human Health			
ExQ3	Question to	Question	Applicant's Response
		No ExA third questions.	

1.15 Landscape, Visual and Seascape Effects

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
Q14.0.1	Applicant	<p>Visual Mitigation at Substation</p> <p>The ExA notes the update to 9.30 Indicative Planting cross-sections at the onshore substation (Rev 2) [REP5-035] at Deadline 5. This confirms that planting would not be orchard planting but a series of woodland belts.</p> <ul style="list-style-type: none"> (i) Please can the Applicant elaborate, setting out timescales to maturity and at what point the screening will have taken full effect. (ii) With regard to the Written Landscape Scheme, could the OLEMS clarify the details of trees, woodland and hedgerows, finished ground levels and bunding, and plant details including, where possible plant schedule will also be provided as drawings to illustrate the written details. Could boundary treatments also be included on the drawings for clarity. 	<p>(i)</p> <p>ES Chapter 30 Landscape and Visual Impact Assessment (LVIA) [APP-044] includes an assessment of effects at year 15 following completion of construction, assuming that planting has grown to a height of 8-10m by this time. This planting is illustrated in the year 15 visualisations which are included within Figures 30.2.1 to 30.2.8 [APP-083] to [APP-088]. The planting will continue to grow beyond year 15, and will likely provide an increased level of screening beyond what is shown in the visualisations. Although likely to continue to provide an increased level of screening, the ongoing development of tree growth beyond 15 years is difficult to predict and therefore a description of the 'full effect' of the screening once it reaches 'maturity', as requested in the question, cannot be provided here.</p> <p>(ii)</p> <p>The Written Landscape Scheme will be developed post-consent and approved by the discharging authority in consultation with the relevant SNCB, as set out in Requirement 7 of the draft DCO [REP6-005]. The details of tree, woodland and hedgerow planting, finished ground levels and bunding, and planting schedules, will be included in the Written Landscape Scheme, which will accord with the principles in the Outline Landscape and Ecological Management Strategy (OLEMS) [REP6-035]. The OLEMS includes the Landscape Mitigation Plan which shows the arrangement of proposed tree, hedgerow and woodland planting, including boundary treatments. Boundary treatments are also illustrated on the cross sections presented in the Indicative Planting cross-sections at the onshore substation (Rev 2) [REP5-035].</p> <p>The Applicant also notes the ECC and TDC's request in Paragraph 3.1 of their Comments on any submissions received at the previous deadline [REP6-081], which makes a similar request, is asking for confirmation that the Written Landscaping Scheme secured under Requirement 7 will also include <i>drawings</i>, as well as written details. The Applicant has confirmed that drawings will also be included as requested in their response to this point in the Applicant's response to Deadline 6 submissions, Ref REP6-081_e [Document reference: 9.102 (Rev0)].</p>
Q14.0.2	Applicant	<p>Screening at Substation: VEOWF</p> <p>REP4-038 (10.20.8 Technical Note - Screen planting options for Land Plot 17-024) submitted to the VEOWF Examination (see [REP4-038]) provides indicative cross sections to illustrate the potential mix of screening planting, as well as how this might mature over 5, 10 and 20 years. The planted woodland areas would screen the onshore substation, and provide a landscape</p>	<p>VEOWF REP4-038 provides screening options for land to the north of Norman's Farm. The cross sections show potential planting mixes for this screening belt.</p> <p>The Applicant does not propose a screening belt in this location. The primary line of visual mitigation for the Project is to the southeastern edge of the North Falls red line boundary. This comprises a 15m wide belt of native woodland planting. Further areas of woodland to the north and hedgerow trees would provide additional screening.</p>

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		feature. Please can the Applicant provide commentary on principle differences between the VEOWF proposals and those of NFOWF, and what further steps can be taken to align them.	As noted in response to Q8.0.1 and Q8.0.2 above, the Applicant is in the process of developing a Joint Design Guide with VEOWF, which will include the principles for a co-ordinated outline landscape design for both projects. The development of this Joint Guide is ongoing, and due to conclude in Q4 2025.
Q14.0.3	Natural England, Applicant and Local Authorities	<p>Natural England Risk and Issues Log: Landscaping and Outline Landscape and Ecological Management Strategy (OLEMS)</p> <p>Natural England states in its Risk & Issues Log [REP6-089] that it expects <i>“the landscaping requirements to also cover survey methods, monitoring requirements and the requirement to maintain, including the potential for re-planting due to plant failures. Further, we would expect to be consulted on the plans prior to their approval by the relevant LPA”</i>. The ExA notes that the dDCO [REP6-005] was amended and now includes provision for consultation with the SNCB within Requirement 7.</p> <p>With reference to the Outline Landscape and Ecological Management Strategy [REP6-035], the ExA notes that it will form the basis for a final Written Landscape Scheme, which will both be prepared and submitted to the Local Planning Authority for approval prior to construction of the Project secured by DCO Requirement. It includes various survey methods and monitoring measures are referred to, for example:</p> <p><u>Survey Methods:</u></p> <p>Paragraph 12 sets out that the OLEMS has been drafted based on the findings of pre-consent surveys undertaken between 2021 and 2023. Further information and full survey results is found within the range of 17 documents listed, and informed by other documents e.g. Biodiversity Net Gain (BNG) Strategy [REP3-028] and Green Infrastructure Plan [APP-134].</p> <p><u>Monitoring requirements and a requirement to maintain, including potential for re-planting:</u></p> <p>Section 3.11 of the OLEMS [REP6-035] includes maintenance of landscape planting. It includes <i>that “The success of landscape planting will be monitored over a 10-year aftercare period after planting. During this period any plants which fail, die, are removed, or become seriously damaged or diseased, shall be replaced in the first available planting season with a specimen of the same species and size as that originally planted”</i> (see Paragraph 248 and following).</p> <p>Please can the IPs identified comment on, and respond to, the following:</p> <p>(iii) Does the OLEMS sufficiently cover survey methods, monitoring requirements and requirement to maintain, including potential for re-planting due to plant failures.</p>	

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		<p>(iv) Whether or not, in their view, the associated Requirement 7 for a Written Landscape Scheme can rely on the detail within the OLEMS to address NE's concerns regarding landscaping requirements as set out above.</p> <p>(v) Regarding the replacement of failed planting, it is noted that the Applicants commit to the replacement of failed planting for a period of ten years. Given that the provided photomontages provide assessments of the effect of landscaping at 15 years, do you consider ten years to be long enough for this provision?</p>	
Q14.0.4	Applicant, SCC, other IPs	<p>Duty to Enhance National Landscape</p> <p>The Applicant's response to ExQ2 Q14.0.1 confirmed that the Applicant is a statutory undertaker as defined in s85 of the CRoW Act, and that it is therefore a relevant authority for the purposes of the Act. The Applicant set out its position within its Position Statement [REP5- 068], as well as [REP5-055] and in further information submitted at Deadline 6, in response the ExA's Rule 17 request dated June 6 2025 [PD-014].</p> <p>In summary, the response [REP6-062] considers, on a without prejudice basis, specific additional compensatory measures that could be applied to enable the Applicant and the Secretary of State to discharge the Duty should the Secretary of State consider that such measures are required, including consideration of principles to form the basis for the development and delivery of a National Landscape Enhancement Scheme (or similar) together with a list of projects identified and a mechanism for securing such a scheme [REP6-062].</p> <p>The Applicant considers that the effects on the SECHNL are visual in nature only. Environmental Statement (ES) Chapter 29 Seascape, Landscape and Visual Impact Assessment (SLVIA) [APP-043] concludes that there will be significant effects on views from locations along the southern coastal edge of the SECHNL, between the River Deben and Orford Ness. There will be no significant effects on landscape character, and no significant effects on the special qualities of the SECHNL [REP5-038]</p> <p>The ExA now seeks views from IPs on the response [REP6-062] including the without prejudice Requirement and the content of the National Landscape Enhancement Strategy. Further specific questions are also set out below.</p>	<p>The Applicant held a meeting with the Suffolk and Essex Coast and Heaths National Landscape Partnership and Suffolk County Council on 3 July 2025 to discuss the without prejudice draft National Landscape enhancement scheme principles presented in Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes [REP6-062]. The Applicant will consider the feedback received during this meeting and any further feedback received at Deadline 7, including from Natural England who were unable to attend the meeting, and if appropriate submit an updated version of Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes [REP6-062] at Deadline 8.</p>
Q14.0.5	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Mechanism for Delivery</p> <p>The ExA notes the Applicant's suggested wording for a Requirement to deliver the National Landscape Enhancement Scheme (below), submitted on a without prejudice basis at Deadline 6 [REP6-062]:</p> <p>National Landscape Enhancement Scheme</p>	No response required from the Applicant.

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		<p>(1) Work No. 1 and Work No. 2 must not be commenced until a National Landscape Enhancement Scheme has been submitted to and approved by the discharging authority in consultation with Suffolk & Essex Coast & Heaths National Landscape Partnership. (2) The National Landscape Enhancement Scheme must accord with the principles and fund size set out in the National Landscape Enhancement Scheme principles document. (3) The National Landscape Enhancement Scheme must be implemented as approved. (4) In this Requirement "the National Landscape Enhancement Scheme principles document" means the principles set out in Table 1 of Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes.</p> <p>Comments from IPs are specifically sought in relation on the wording of above suggested Requirement, submitted on a without prejudice basis.</p>	
Q14.0.6	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Scope of Projects</p> <p>The scope of projects is set out in Table 1 of [REP6-062], with a focus on projects and initiatives relating to enjoyment of the coast and coastal views and those in line with the objectives of the Suffolk & Essex Coast & Heaths National Landscape Management Plan 2023-2028. Projects could include (but would not be limited to) enhancements to car parking, access or visitor facilities at coastal locations; footpath enhancements including to coastal paths; beach surveys and clean ups. These would be delivered as part of the National Landscape Enhancement Scheme will be selected at the discretion of the Suffolk & Essex Coast & Heaths National Landscape Partnership.</p> <p>The ExA requests IPs comments on the scope of projects.</p>	No response required from the Applicant.
Q14.0.7	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Spatial Scope</p> <p>The spatial scope of the projects is set out in Table 1 of [REP6-062], and focuses on the area likely to be affected by views of the Project, ie. the coastal edge between the River Deben and Orford Ness. Table 1 states that "<i>All projects and initiatives must therefore be located within this area</i>".</p> <p>The ExA requests IPs comments on the spatial scope, and the suggestion that initiatives must be within the area between the River Deben and Orford Ness.</p>	No response required from the Applicant.
Q14.0.8	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Fund Size</p> <p>The fund size of £10,000 is set out in Table 1 of [REP6-062]. The ExA requests IPs comments on the Applicant's proposed fund size, and whether or not the measures and fund size can be considered</p>	No response required from the Applicant.

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		to be proportionate to the type and scale of development as it affects the National Landscape, reasonably related to the identified residual adverse effects, and sufficient to allow for the discharge of the statutory duty by both the Applicant and by the Secretary of State.	
Q14.0.9	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Fund Timing</p> <p>The fund timing is set out in Table 1 of [REP6-062], which suggests a single one-off payment made by the Applicant to the Suffolk & Essex Coast & Heaths National Landscape Partnership prior to the commencement of construction of Work No. 1 or Work No. 2. The timing of projects and initiatives benefited by the fund would then be at the discretion of the Suffolk & Essex Coast & Heaths National Landscape Partnership.</p> <p>The ExA requests IPs comments on the fund timing.</p>	No response required from the Applicant.
Q14.0.10	Applicant	<p>Cumulative Landscape Effects</p> <p>The Applicant has submitted visualisations [REP4-029 and REP4-030] showing the Norwich to Tilbury pylons in blue, modelled at between 48m and 60m in height. In its response to ExQ2, NGET [REP5-101] has stated that <i>"The first six or seven pylons are expected to be in the order of 50m height with individual heights responding to factors including span length between pylons, terrain etc. Taller pylons, in the order of 60m height, would be expected to be required to achieve necessary clearances of the railway"</i></p> <p>Please can the Applicant confirm its position regarding the impact of the 50-60m pylon modelling in combination with VEOWF and NFOWF substations</p>	<p>The Norwich to Tilbury pylons, as shown in the updated visualisations [REP4-029] and [REP4-030] are based on a model provided by NGET. As such, they reflect the likely scale of the proposed pylons in this area, on the western approach to the proposed East Anglia Connection Node (EACN), and are based on the current proposed alignment of the Norwich to Tilbury overhead line (OHL).</p> <p>The cumulative effects of the Project in combination with Five Estuaries substation, the EACN and the Norwich to Tilbury OHL is presented in ES Chapter 30 LVIA [APP-044] (see Section 30.8 and Table 30.32 in particular).</p> <p>Whilst the visualisations were updated to include the proposed pylons following submission of the ES, the ES considered the cumulative effects of the proposed North Falls onshore substation and the proposed Norwich to Tilbury OHL.</p>
Q14.0.11	Applicant, Natural England, ECC, SCC, SECHNLP	<p>Impact on LCTs</p> <p>In response to ExQ2 14.0.5 the Applicant confirmed that in its view, at a distance of over 40km from any onshore LCT (Landscape Character Type), that it is satisfied that "the magnitude of change is correctly recorded as 'low'" in each case.</p> <p>(i) Please can the Applicant confirm what, if any other criteria than distance have been used to estimate the magnitude of change.</p> <p>(ii) Please can NE (and others, optionally) comment on factors other than distance which they consider would contradict the Applicant's assertion regarding the 40km distance to any onshore LCT.</p>	<p>(i)</p> <p>Operational effects of the offshore wind farm array on landscape character are set out in Section 29.6.3.2.1 of ES Chapter 29 SLVIA [APP-043]. Tables 29.16 to 29.20 of the SLVIA set out the assessment for each LCT which has been carried forward for detailed assessment. Each table provides commentary on how the magnitude of impact has been arrived at. This is not a distance-based calculation. It considers factors such as the nature of effects (direct or indirect); theoretical and likely actual visibility; potential changes to the key characteristics of each LCT as a result of visibility of the wind farm; and cumulative interactions with existing development. Further detail is provided in ES Appendix 29.1 SLVIA and VM [APP-170]. This describes how, in accordance with good practice guidance, magnitude of change is judged with reference to the scale and extent of the change, and its duration and reversibility. Definitions of the levels of magnitude of landscape change are provided in Table 1.5 of [APP-170].</p> <p>(ii)</p> <p>No response required from the Applicant.</p>
Q14.0.12	Natural England	<p>Natural England: Risk and Issues Log</p> <p>NE's advice in its Risk & Issues Log [REP6-089] I-Seascape has remained unchanged throughout. Deadline 6 submission states that NE will not be responding further on these issues unless new information is forthcoming, or the Applicant's conclusions change.</p>	

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		Following the submission of the Applicant's without prejudice response [REP6-062] to the ExA's Rule 17 [PD-014] request, please can NE update this advice and risk log in respect of those issues to which [REP6-062] relates.	
Q14.0.13	Applicant, Natural England	<p>Underestimation of Effects</p> <p>NE has stated that, in its view, the ES underestimates the effects of the proposed development in landscape and seascape terms on the National Landscape. The Applicant's response to ExQ2 14.0.6 refers to its technical note [REP3-044] and states that it does not consider that NE's precise steps to overcome this are necessary or appropriate. Please can the Applicant</p> <ul style="list-style-type: none"> (i) Summarise how it considers that effects have not been underestimated. And (ii) Please can NE set out specifically which of the effects have been underestimated, including by reference to specific points set out in the ES 	<p>(i)</p> <p>Effects on the SECHNL are set out in ES Chapter 29 SLVIA [APP-043] and further detail is provided in the Technical Note (Rev 1) [REP5-038]. The methodology for the assessment is set out in ES Appendix 29.1 SLVIA and VM [APP-170]. Magnitude of change is assessed by combining judgements about the scale, geographical extent, duration and reversibility of the impact, in accordance with Guidelines for Landscape and Visual Impact Assessment, 3rd Edition ('GLVIA3'). The SLVIA has followed this methodology and the conclusions are presented in the documents noted above. The Applicant considers that these documents provide a clear explanation for each judgement, and that the assessment of effects on the SECHNL is proportionate and robust. The Applicant remains confident that the effects are not underestimated.</p> <p>(ii)</p> <p>No response required from the Applicant.</p>
Q14.0.14	SCC, Applicant, other IPs optionally.	<p>Suffolk County Council Comments on submissions received at Deadline 5</p> <p>SCC has submitted comments on Deadline 5 submissions [REP6-092] as a response to the Applicant's Deadline 5 (D5) submissions and representations made by other interested parties at D5, as appropriate. Within this context, please can SCC explain how items 1f - Application of Duty and 1g - Discharge of Duty are sufficiently separate considerations, and are not, in effect, double counting a similar issue.</p> <p>Other IPs and the Applicant may also comment, optionally</p>	Please refer to the Applicant's response to these submissions in the Applicant's Response to Deadline 6 Submissions (Document ref: 9.103, (rev 0)).
Q14.0.15	Applicant, ECC/ other IPs	<p>New visualisation (VP9) from Barn Lane - Grange Road</p> <p>In response to ExQ2 14.04, the Applicant stated that it would be providing an additional photomontage visualisation from Grange Road, to be submitted at Deadline 6. The selected viewpoint is immediately north of the proposed onshore substation works area. The ExA notes [REP6-065] and [REP6-066] provide new visualisations for new Viewpoint VP9. This appears to currently be absent of corresponding narrative, such as that which accompanies VPs 1 to VP8 within Chapter 30 of the ES (see Tables 30.21 to 30.28).</p> <ul style="list-style-type: none"> (i) In the interest of consistency and completeness, please can the Applicant provide an update to VP9, or signpost to where this information is contained by Deadline 7. (ii) IPs are invited to comment on VP9 photomontages at this stage, and following Deadline 7, to comment further on the accompanying narrative. 	<p>(i)</p> <p>A narrative for Viewpoint 9 has been provided in an updated version of New visualisation (VP9) from Barn Lane - Grange Road [Document reference: 9.93 (Rev1)], being submitted into the Examination at Deadline 7. The Applicant reiterates that it considers that viewpoints 1-8 are sufficiently representative for the purposes of the LVIA (and were agreed with ECC and other relevant consultees). However, an assessment in line with those provided in ES Chapter 30 LVIA [APP-044] has been provided as requested.</p> <p>(ii)</p> <p>No response required from the Applicant.</p>
Q14.0.16	Applicant, IPs	Tranquillity	

14. Landscape, Visual and Seascape Effects			
ExQ3	Question to	Question	Applicant's Response
		The ExA notes the Applicant's response to ExQ2 14.0.8 and the updated technical document on special qualities [REP5-038]. Please can IPs including SCC and SCHNLP respond to this update.	

1.16 Navigation and Shipping

15. Navigation and Shipping			
ExQ3	Question to	Question	Applicant's Response
Q15.0.1	Applicant	<p>Without Prejudice Proposed DCO Requirement – Galloper Recommended Route</p> <p>With reference to the above document [REP6-068], page 5, paragraphs 3 to 6, contains numerous references to “<i>Error! Reference source not found.</i>”, please could the Applicant review these and re-submit the document .</p>	The Applicant has provided the corrected version of this document via email to PINS on the 02 July 2025 [AS-054].
Q15.0.2	MCA	<p>Without Prejudice Proposed DCO Requirement – Galloper Recommended Route</p> <p>With reference to the above document [REP6-068], could the MCA provide their view on whether or not they would be able to accept the Applicant's proposed DCO requirement in respect of the Galloper Recommended Route, which has been submitted on a without prejudice basis.</p>	
Q15.0.3	MCA	<p>Applicant's Response to ExA's Request for further information (Rule 17) - Galloper</p> <p>With reference to the above document [REP6-063], could the MCA advise if they have any comments or concerns regarding the Applicant's responses.</p>	
Q15.0.4	Applicant	<p>Contingency plans for crossing the port channels with the cable burial tool</p> <p>With reference to the applicant's response [REP5-054] to Q7.04 (ii), the applicant states “<i>the expected time for crossing the port channels with the cable burial tool will be of the order of 1.5-2 days.</i>” Further, the applicant's response [REP-054, Q16.06 part (ii)] provides information on if burial tools cannot achieve the required depth on their own.</p> <p>In the event that the expected time for crossing the port channels with the cable burial tool could take longer than 2 days, what contingency plans would need to be in place and have these been agreed with the Maritime and Coastguard Agency, the London Gateway Port Limited (LGPL), Port of London Authority (PLA) and Harwich Harbour Authority (HHA)?</p>	<p>Prior to the commencement of activities, the oNIP [REP6-039] requires a Hazard and Operability Study (HAZOPs) to be undertaken, detailing out contingency plans should a delay occur. These, along with the Promulgation of Information within the dML and DCO ensure information is passed to the relevant stakeholders/Interested Parties about the activities and any delays occurring.</p> <p>However, the best way to prevent this risk is through good design. This requires information to understand the seabed to ensure the most appropriate installation method is chosen. Therefore, the Environmental Impact Assessment allows for both cable burial using a conventional tool and pre-dredging of a suitably deep pre-cut trenches within which the cables will be laid. Once the final burial depths below the future dredge depths are known and prior to detailed design of the cable installation, the most appropriate methodology can be selected to minimise impacts to ensure certainty of operations.</p>

15. Navigation and Shipping			
ExQ3	Question to	Question	Applicant's Response
Q15.0.5	HHA, PLA, LGPL, MCA	<p>Crossing the port channels with the cable burial tool</p> <p>With reference to the applicant's response [REP5-054] to Q7.04 (ii), the applicant states:</p> <p><i>"With regards to the PLA comments, it should be noted that there are two deep water routes (Sunk and Trinity) into the London ports. The Outline Navigation and Installation Plan (oNIP) [REP4-011/012] prevents concurrent working across both access routes by the relevant projects (i.e. North Falls, Five Estuaries and SeaLink), thereby always giving one access route into/ exit route from the ports. Further to this, the expected time for crossing the port channels with the cable burial tool will be of the order of 1.5-2 days. Therefore, the potential socio-economic impacts on the London ports have been minimised as one route would always be open. The access routes are being discussed in ongoing meetings with the ports and the tables in the oNIP will be updated at Deadline 6."</i></p> <p>(i) Please advise if you agree with the Applicant's proposal to prevent concurrent working across both access routes by the relevant projects (i.e. North Falls, Five Estuaries and SeaLink), thereby always giving one access route into/ exit route from the ports? Further, the applicant's response [REP-054, Q16.06 part (ii)] provides information on if burial tools cannot achieve the required depth on their own.</p> <p>(ii) In the event that the expected time for crossing the port channels with the cable burial tool could take longer than 2 days, what contingency plans would need to be in place?</p>	
Q15.0.6	Applicant	<p>Maintaining access for deeper draughted vessels and the ability to board or land pilots</p> <p>The PLA's Responses to the ExA's ExQ2 [REP6-091] Q16.06 includes:</p> <p><i>"In term of the reference to one of the two DWRs always being open, the Sunk DWR is deeper than the Trinity DWR, so should this become unavailable during construction then this may mean that deeper draughted vessels are unable to enter or exit the Port on a given day. There is also concern re maintaining the ability to board or land pilots."</i></p> <p>Could the Applicant advise how the above concerns would be addressed?</p>	<p>The impact of delays to vessels caused by the Applicant's work is understood, and will be mitigated by good planning and communication. Any impact on the Sunk DW from cable installation and dredging operations will be short term in nature. The oNIP [REP6-040] includes a requirement to add notification procedures in agreement with Interested Parties which include the PLA. This will facilitate advanced notice of operations to PLA allowing for forward planning in liaison with the Applicant. Operations will be planned for summer months, when the weather is generally better, and impacts caused by weather will need ongoing communication.</p> <p>With regards to the pilot boarding, the Applicant has included the area shaded blue on 9.57 Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan (Rev 1) [REP6-055] which buries the cable deeper in the Sunk Pilotage Area which will mean there is no constraint on deeper vessels caused by the presence of the cables. This is secured by Requirement 2(3) of Schedule 1 Part 3 of the draft Development Consent Order [REP6-005].</p>
Q15.0.7	HHA, PLA, LGPL, MCA & MMO	<p>Outstanding concerns on plans relating to Shipping and Navigation</p> <p>Are there any outstanding concerns that have not been addressed by the Applicant in the following documents:</p>	

15. Navigation and Shipping			
ExQ3	Question to	Question	Applicant's Response
		<ul style="list-style-type: none"> • Site Characterisation Report [REP4-014] • Supporting Information on Offshore Additional Mitigation [REP4-041] • Deep Water Route Cable Installation Areas [REP4-043] • Outline Navigation and Installation Plan [REP5-028] • Outline Sediment Disposal Management Plan [REP5-042] • Cable Specification and Installation Plan [REP5-044] 	
Q15.0.8	MCA	<p>Control measures proposed by Harwich Haven Authority</p> <p>Please could the MCA advise if they agree with the seven control measures proposed by Harwich Haven Authority (HHA) in their response to ExQ2 submission [REP5-094] and that they need to be contained within the body text of the DCO and embedded marine licence as protective provisions and not just referenced as required for a plan or document such as the Outline Navigation and Installation Plan?</p>	<p>The Applicant emphasises that the 'control measures' are all already secured and/or addressed. Relevant plans (Cable Specification and Installation Plan (CSIP) and Navigation Installation Plan (NIP)) are part of the DCO, and thus compliance with the items within plans is inherent to the DCO. Therefore, to duplicate the requirement in the outline NIP and/or outline CSIP in the DCO is not required.</p> <p>For completeness, each 'measure' of HHA is set out below, with the Applicant's comments immediately following each item explaining how the Project have addressed the 'measures':</p> <p><i>"1. We request that no Restricted Ability to Manoeuvre (RAM) works conducted by the North Falls project should run concurrently with RAM works already planned by the Five Estuaries, Sealink and Tarchon project developers (or other development projects) in the Sunk area. It is our opinion that this would cause an unacceptable level of navigational risk. Therefore, we insist that the Sea Link project liaise with other planned project teams and ourselves to avoid this situation. This requirement for no RAM concurrent works, operations or activity must be written into the DCO."</i></p> <p>This issue is addressed within Table 2.2 of the oNIP [REP6-039]. That table prevents concurrent RAM activities taking place in the key areas of interaction between the Project and shipping and navigation stakeholders. RAM activities have been defined in Section 2.3.1 of the oNIP. The final NIP must be in accordance with the oNIP through condition 22 in the DML of Schedule 9. As such, this 'measure' is already secured via the dDCO.</p> <p><i>"2. Exclusion zone(s) must not be put in place in the Sunk area or channel that would restrict 24/7/365 vessel access requirements or pilot boarding operations etc."</i></p> <p>The Applicant is not proposing any 'exclusion zones' nor does it have the authority to implement exclusion zones within any sea area. Outside of Harbour Limits this authority remains wholly with the Secretary of State, and within Harbour Limits with the competent authority / the Harbour Master. As a result, a provision in respect of exclusion zones is not relevant to the DCO.</p> <p><i>"3. Safety zone(s) will not be able to impede vessel traffic movements within the Sunk area or normal operations such as pilot boarding."</i></p> <p>Safety zones are relevant to surface piercing structures only. As the only infrastructure of the Project in the Sunk area is the cable works (which are subsea) safety zones not relevant.</p> <p>Moreover, safe passing distances to infrastructure to allow normal operations are all captured in the oNIP [REP6-039], which is secured in the dDCO.</p> <p><i>"4. We suggest that no cable joints to be in locations in the Sunk area, due to extra work required in this busy shipping area, leading to increased navigational safety risk."</i></p>

15. Navigation and Shipping			
ExQ3	Question to	Question	Applicant's Response
			<p>The oCSIP (updated again at Deadline 7, Document Reference 9.53 Rev 3) makes clear that no cable joints will be located in the Sunk area. As the final CSIP must be in accordance with the oCSIP by way of condition 22 in the DML of Schedule 9 this 'measure' is already secured via the dDCO. As a result, a provision in respect of 'cable joints' is not relevant nor needed in the body of the DCO.</p> <p><i>"5. In the Sunk area, cable depth needs to consider that the world's largest vessels may anchor and dredge anchors in emergency scenario."</i> ; and</p> <p><i>"6. The cable depth must take into account the draught of current and future vessels and future dredging. The DCO should provide for a maximum draught of 20m plus 10% UKC, as such minimum depth required 22m below chart datum."</i></p> <p>The dDCO [REP6-005] Requirement 2(3) sees that cable and protection must be buried at depths that allow future dredging to 22m Chart Datum in the relevant Sunk Deep Water Route (DWR) and Sunk Pilotage areas (see [REP6-055]), allowing for the navigation and draught of current and future large vessels (Requirement 13 similarly ensures that associated maintenance activities may also not impede vessel activity in the DWRs areas).</p> <p>The Cable Burial Risk Assessment (CBRA) required under the CSIP under the DMLs (Condition 21 / 22 / 21 of Schedules 8, 9, 10 respectively) ensures that navigable depth is protected. This condition also requires the development of a cable laying plan developed post-consent incorporating the CBRA in accordance with the Carbo Trust's methodology requirements and will provide the exact details of the cable and protection and that MCA and Trinity House are consulted to ensure existing and future safe navigation in the area is protected, which will include in emergency scenarios.</p> <p>As a result, dDCO Requirements and conditions incorporating the CSIP already secures the necessary depth of cables, and no further changes are required.</p> <p><i>"7. Suggest that no project vessels with Restricted Ability to Manoeuvre (RAM) (cable laying, UXO clearance, survey etc) are to operate in the wider Sunk area when visibility below nautical 2 miles"</i></p> <p>This is contained in the oNIP, where weather constraints and data, and specifically the 2nm visibility threshold, are committed to be agreed in the HAZOP (see section 4.1.3, [REP6-039]).</p> <p>The final NIP must be in accordance with the oNIP through condition 22 in the DML of Schedule 9. As such, this 'measure' is already secured via the dDCO.</p> <p>In summary, all the 'measures' raised by HHA have been addressed in full through the DCO already where relevant.</p>
Q15.0.9	Applicant	<p>Control measures proposed by Harwich Haven Authority</p> <p>Further to the Applicant's response to deadline 5 submissions [REP6-060] regarding item REP5-094_c2, could the Applicant provide a more detailed response to address the concern raised by HHA [REP5-094] in their 5th point that <i>"In the Sunk area, cable depth needs to consider that the world's largest vessels may anchor and dredge anchors in emergency scenario."</i></p>	<p>The Applicant has included the area shaded blue on 9.57 Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan (Rev 1) [REP6-055] which buries the cable deeper in the Sunk Pilotage Area. The cables will be buried to allow future dredging to 22m above them, to accommodate deep draughted vessels. This is secured by Requirement 2(3) of Schedule 1 Part 3 of the draft Development Consent Order [REP6-005].</p>
Q15.0.10	HHA	<p>DCO/ DML changes proposed by HHA</p> <p>HHA's response to ExQ2 submission [REP5-094] proposes seven control measures that they believe need to be contained within the body text of the DCO and embedded marine licence as protective provisions and not just referenced as required for a plan or document such as the Outline Navigation and Installation Plan.</p>	<p>Please refer to the Applicant's response to Q15.0.8 above.</p>

15. Navigation and Shipping			
ExQ3	Question to	Question	Applicant's Response
		Please could HHA advise their preference as to where within the DCO and DML, they would like the seven control measures to be included with reference to existing articles (where applicable).	
Q15.0.11	Applicant	<p>Priority between vessels actively fishing and survey vessels</p> <p>With reference to the Applicant's response to deadline 4 submissions [REP4-075], item REP4- 075_i states:</p> <p><i>"As requested by HHFA, the Applicant has agreed that vessels actively fishing will have priority over survey vessels, unless the survey vessel is attached to a borehole. This is reflected in the draft SoCG that is being progressed between the Applicant and the CFWG."</i></p> <p>(i) Could the Applicant confirm how this commitment would be secured in the dDCO?</p> <p>(ii) Will the Outline Fisheries Liaison and Coexistence Plan (OFLCP) [REP4-018] be updated to include this commitment?</p>	<p>This commitment is secured through the Outline FLCP, submitted at Deadline 7 ([Document Reference 7.9, Rev 2] that has been updated to include the referenced wording from the draft SoCG between the Applicant and the CFWG [REP5-083]. It should be noted that RAM vessels, such as cable lay vessels or survey vessels attached to a borehole, will not be able to give way, as is considered in COLREGs.</p>

1.17 Socio-economic Effects

16. Socio – economic Effects			
ExQ3	Question to	Question	Applicant's Response
Q16.0.1	Applicant	<p>Potential introduction of further fisheries management measures</p> <p>Further to the MMO's comments on any submissions received at the previous deadline [REP6- 082], for the response to ExQ2 Q16.01 the MMO requests that:</p> <p><i>"Consideration should be given to the potential introduction of further fisheries management measures within Marine Protected Areas (MPAs) under Stages 3 and 4 of the assessment and management process for fishing in offshore MPAs. Chapters 11 and 14 identify MPA sites and existing fisheries management measures but do not acknowledge ongoing activities by Defra and the MMO that may lead to the introduction of new management measures in these areas in the near future. Stage 3 sites proposed management measures are currently undergoing public consultation, while Stage 4 sites have not received any further public updates following the call for evidence which closed in February 2024."</i></p> <p>Could the Applicant advise what consideration they propose in response to MMO's above request?</p>	<p>Specific reference to known restrictions to commercial fishing associated with the implementation of MPAs is made in Table 14.16 within ES Chapter 14 Commercial Fisheries [APP-028]. The information provided and accounted for in the ES is aligned with the information publicly available at the time that the ES was compiled.</p> <p>The Applicant acknowledges that the implementation of additional fishing closures in MPAs is ongoing and under continued development and that future restrictions may affect fisheries and fish ecology receptors, including receptors of relevance to the Project. The Applicant notes, however that there is no overlap between Stage 3 sites and areas of the Project known to support mobile towed gear fisheries with potential to be subject to fisheries restrictions within MPAs (i.e. demersal trawls). Whilst the Project does overlap with a Stage 4 site, as noted by the MMO, these sites have not received any further public updates following the call for evidence which closed in February 2024 and how potential management measures, if any, may be progressed, is currently unknown. As such, it is the Applicant's view that the cumulative impact assessment presented in the ES and its findings remain valid based on best currently available information.</p> <p>In this context the Applicant notes that significant impacts on fish and shellfish species and commercial fisheries receptors have not been identified as a result of the Project. In addition, consultation with the fishing industry is on-going and will continue post-consent, including as part of the already established CFWG. Where appropriate this may include discussion with regards to developments in relation to fisheries management measures in MPAs.</p> <p>The Applicant also notes that as stated by the MMO in [REP6-082_g] the mitigation proposed by the Project is in line with that used for other offshore wind farm projects.</p>

16. Socio – economic Effects			
ExQ3	Question to	Question	Applicant's Response
Q16.0.2	The Applicant	<p>In Suffolk County Council's comments on submissions received at D4 [REP5-116], the Council requests that they are part of the OSEP steering group in respect of the Regional Skills Coordination Function. The Council also highlights the need for the Applicant to support and contribute towards the gathering of better evidence and resources in respect of the cumulative impact and understanding and addressing the cumulative impact on skills, employment and training.</p> <p>(i) Please confirm that Council will be included as part of the steering group as requested.</p> <p>(ii) Notwithstanding the information already provided in ES Chapter 31 Socio Economics [AS-010], how will the Applicant gather such evidence and address the issues as suggested by the Council</p>	<p>(i)</p> <p>The Applicant welcomes Suffolk County Council's proactive approach to skills coordination and recognises the importance of gathering high-quality information on proposed Nationally Significant Infrastructure Projects (NSIPs) across the wider region. The Applicant's general approach to skills is to work collaboratively with stakeholders to support effective planning for future workforce and skills development across the region.</p> <p>The Applicant will continue to engage closely with key stakeholders, including Suffolk County Council, on skills-related matters and is open to the principle of the SCC's participation in the steering group in respect of its Regional Skills Coordination Function. The Applicant would welcome further discussion with Suffolk County Council on this matter.</p> <p>(ii)</p> <p>The Applicant is also committed to ongoing discussions around improving evidence and resources to better understand and address cumulative impacts of the Project and other projects on skills, employment, and training. However, as noted in the response to Q16.0.4 below, at this stage of the Project, detailed information, particularly regarding procurement decisions, is not yet available to provide a more granular forecast of workforce and labour demands. As outlined in the Addendum to the Outline Skills and Employment Plan [Document reference: 9.108, (Rev0)] (see response to Q16.0.4 below), this level of detail will be developed post-DCO consent and will inform the final Skills and Employment Plan accordingly.</p>
Q16.0.3	The Applicant	<p>The Statement of Common Ground with Suffolk CC and Tendring DC [REP5-082] sets out the concerns of the Councils in particular the comments in section 2.9 relating to the commitments to education, training and employment. The Councils also raise points regarding the Harwich Green Energy Hub and the contribution the Proposed Development will make to research and the development of construction, renewable and sustainable sectors. Tourism is also specified as important to the local economy and the Council wish to have a dialogue to ensure contributions to improvement projects.</p> <p>What progress has been made with the Councils in respect of the requirements they have set out in relating to socio-economic and tourism impacts.</p>	<p>The Applicant believes there may be a typographical error in the first sentence of the question, and that the point is intended to refer to Essex County Council rather than Suffolk County Council. The Applicant has therefore responded on this basis.</p> <p>A meeting was held with Essex County Council on 10 of July 2025 to discuss the latest status of the Statement of Common Ground.</p> <p>As outlined in responses to Q16.0.4 below, the Applicant is submitting an Addendum to the Outline Skills Employment Plan [Document reference: 9.108 (Rev0)], which captures key comments and stakeholder requests identified through consultations and representations during the course of the DCO Examination. One such comment includes further reference to the Harwich Green Energy Hub as well as exploring how the Project could contribute to research and development in the construction, renewable, and sustainability sectors.</p> <p>A point of disagreement remains regarding potential impacts on tourism. The Applicant maintains that no significant effects on tourism have been identified. The Applicant has received no robust empirical evidence to challenge its assessment of no significant adverse effects on tourism presented in ES Chapter 32 Tourism and Recreation [APP-046]. As such, the Applicant's position is that there is no requirement for additional monitoring or mitigation. As noted in our response to Q16.0.4 below, robust monitoring of tourism impacts would require long-term, longitudinal studies to generate reliable evidence of any specific impacts on tourism that result from North Falls. Given the complexity of such studies and the assessment's conclusion of no significant effects, the Applicant has not proposed further mitigation or compensation measures related to tourism.</p> <p>There is no further update at this stage regarding the Community Benefit Contribution, though the Applicant continues to work closely with Essex County Council on its development.</p>

16. Socio – economic Effects			
ExQ3	Question to	Question	Applicant's Response
Q16.0.4	The Applicant	<p>The comments of ECC and TDC on any submissions received at the previous deadline [REP6- 081] sets out the Council's concerns relating to tourism, skills and employment.</p> <ul style="list-style-type: none"> (i) The Council's request the monitoring of the impact on tourism related trade as a result of works on the A120 and also refer to compensation or mitigation measures. Can the Applicant further expand on how they will monitor such impacts on tourism and what proposals can be made to mitigate or compensate for any significant impacts that may arise (ii) Will the OSEP be updated as requested by the Councils (iii) What contribution to the Skills and Energy Programme will be made and will there be a commitment for this in the OSEP (iv) A further breakdown of the workforce and labour demands of the Proposed Development should be provided so that the Councils are equipped to address the requirements for a skilled labour force and able to work with the Applicants in the delivery of the project, 	<p>The Applicant refers to its response to item REP6-081_o in the Applicant's Response to Deadline 6 submissions [Document ref: 9.102, (rev 0)].</p> <p>(i) Localised tourism impacts</p> <p>Essex County Council has raised concerns about potential localised tourism impacts, particularly within Tendring District. The ES assessment undertaken in ES Chapter 32 Tourism and Recreation [APP-046] identified traffic impacts as a potential pathway for tourism effects. Traffic impacts are addressed in ES Chapter 27 Traffic and Transport [APP-041], and the findings of this assessment and embedded mitigation measures were incorporated into the assessment of tourism effects. No significant transport-related effects were identified, and Essex County Council has not provided any evidence to contradict this assessment. Measures to monitor HGV movements during construction, and to ensure that they operate within the limits assessed within the ES are described within Section 5 of the Outline Construction Traffic Management Plan [REP4-008]. Other potential pathways, such as noise effects on tourism assets, were also assessed and found to be negligible. Monitoring of construction noise levels, in the event of a complaint, are secured within Section 1.1 of the Outline Code of Construction Practice [REP6-033]. Specific monitoring of the impacts of an offshore wind farm development on tourism would require well-designed, longitudinal research conducted pre-commencement, during construction and post-completion. To be robust, it would require a counterfactual-based methodology, for example, conducting visitor counts or examining business turnover and employment data within the areas affected by a project and in areas not affected by it if the specific impacts of development were to be attributable. One-off surveys, including for example visitor perception surveys, are prone to respondent bias and would not be a reliable method of understanding changes in visitor volumes that might arise during the course of a project. Given the complexities involved in such approaches, and the absence of significant effects and any evidence to suggest alternative conclusions, no additional monitoring or mitigation measures in relation to tourism impacts are considered necessary beyond those already embedded in the Project. Given the complexities involved in such approaches, and the absence of significant effects and any evidence to suggest alternative conclusions, no additional monitoring or mitigation measures in relation to tourism impacts are considered necessary beyond those already embedded in the Project.</p> <p>(ii) Outline Skills and Employment Plan</p> <p>As previously stated above in the Applicant's response to Q16.0.3, the Applicant is maintaining a comprehensive log of all comments and proposals to ensure that feedback and requests are fully captured and considered in the preparation of the final Skills and Employment Plan, which will be developed post-DCO consent. To capture these, the Applicant has prepared an Addendum to the Outline Skills and Employment Plan [Document reference: 9.108, (Rev0)], which includes the log of all comments and proposals made to the Applicant by interested parties during the Examination process, so that these may be discussed further with interested parties during the development of the Skills and Employment Plan. The Addendum is being submitted into the Examination at Deadline 7. The log of comments within the Addendum will continue to be monitored and updated. The Applicant welcomes further comments as part of ongoing consultation and the collaborative development of the Skills and Employment Plan.</p> <p>(iii) Skills and Energy Programme</p>

16. Socio – economic Effects			
ExQ3	Question to	Question	Applicant's Response
			<p>The Applicant remains committed to working closely with stakeholders on matters relating to skills, employment, and supply chain impacts of North Falls, including cumulative impacts with other projects. More broadly, the Applicant is keen to support and engage with initiatives that promote skills development in the energy sector. As such, the Applicant will explore the merits of contributing to the Skills for Energy programme, as outlined in the Addendum to the Outline Skills and Employment Plan [Document reference: 9.108, (Rev0)].</p> <p>(iv)</p> <p>Workforce and skills forecasting</p> <p>Information on workforce and skills is provided in Section 6 of the Outline Skills and Employment Plan [APP-253]. At this stage of the Project, detailed information—particularly regarding procurement decisions—is not yet available to provide a more granular forecast of workforce and skills demands. As noted in the Addendum to the Outline Skills and Employment Plan [Document reference: 9.108, (Rev0)], this level of detail will be developed post-DCO consent and will inform the final Skills and Employment Plan accordingly.</p>

1.18 Terrestrial Traffic and Transportation

17. Terrestrial Traffic and Transportation			
ExQ3	Question to	Question	Applicant's Response
Q17.0.1	The Applicant	<p>Outline Construction Traffic Management Plan (OCTMP)</p> <p>With reference to ECC's Comments on any submissions received at the previous deadline [REP6-081], ECC has proposed the following statement for inclusion in the final CTMP: "The final CTMP will set out the details of how employee vehicles arriving before 7AM will be managed".</p> <p>Could the Applicant confirm whether they accept this statement and propose to include it in the final OCTMP)</p>	<p>The Applicant met with ECC on 26 June 2025 to discuss ECCs request. During this meeting the Applicant and ECC discussed ECC's concerns and how these could be managed through the final Construction Traffic Management Plan. ECC noted that concerns related to ensuring vehicles would not need to wait on the highway to gain access (with wider associated impacts, e.g. noise) should they arrive before 7AM and gates to the site are locked. It was agreed between the parties that the Applicant would include wording in an update to the OCTMP at Deadline 7 [Document reference: 7.16, (Rev4)] to ensure that gates are open such that vehicles can drive off the highway and park up in designated areas. The Applicant has shared a draft version of the updated OCTMP with ECC in advance of Deadline 7, and ECC has confirmed they are content with the wording on 10 July 2025. This agreement is shown in Item 9 of Table 2.7 of the Essex County Council and Tendring District Council Statement of Common Ground being submitted at Deadline 7 [Document reference: 10.17 (Rev2)].</p>



HARNESSING THE POWER OF NORTH SEA WIND

North Falls Offshore Wind Farm Ltd

A joint venture company owned equally by SSE Renewables and RWE.

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